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DEBATES OF THE LEGISLATIVE
ASSEMBLY OF
UNITED CANADA

Volume XI

Part I

1852 - 1853



DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA

1841-1867

Published under the direction of the
Centre d'Etude du Québec
and the
Centre de recherche en histoire économique du Canada français

General Editor
Elizabeth Gibbs

DEBATES OF THE LEGISLATIVE
ASSEMBLY OF
UNITED CANADA

Volume XI, Part I
1852 - 1853

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Research for this volume, as for the previous ones, was substantially supported by Canada Council. The Publication of the Debates of the Legislative Assembly of United Canada is an undertaking of the Centre de recherche en histoire économique du Canada français. The publication of the volumes is supported jointly by the Humanities Research Council of Canada and the Social Science Federation of Canada using funds provided by the Canada Council.

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INTRODUCTION

The Introduction to the first Volume of this series, DEBATES OF THE LEGISLATIVE ASSEMBLY OF UNITED CANADA, 1841, included a history of parliamentary reporting in Britain, Upper and Lower Canada, and of course Union Canada. Parliamentary reporting was both an institution inextricably bound up with Parliament, and a profession under the patronage of the commercial Press. Its constitutional and practical development was traced, including the influences of the ancestral British system upon its derivative Canadian transplants. In the Chapters dealing specifically with the Canadas, the local conditions which in their turn modified the original British model were discussed in detail. The most important of these were: the bilingualism of the Lower and United Canada Legislatures; the poverty of Canadian editors and the small size of their newspapers; the political biases of parliamentary reporters who also lacked stenographic skills; and poor accommodations and worse acoustics in the House. The result of all this was that on the whole, Canadian parliamentary reporters were limited to providing third person summaries of the speeches. Essentially, parliamentary reporting was a politically-oriented profession which was also an integral part of the world of journalism.

All kinds of data about parliamentary reporting as an institution and as a profession were considered: the policies of its newspaper patrons; its techniques; the skills and foibles of its personnel; and the problems such as accommodation faced by the reporters. The other record of parliamentary proceedings, the official JOURNALS, was also analysed. On the basis of this analysis of reports and JOURNALS, a methodology was elaborated which involved collating the reports and integrating them into the JOURNALS.* The object of that methodology was to produce a verisimilar record of the parliamentary debates and proceedings. Since verbatim reporting was virtually unknown, verisimilitude was the only possible goal. Various problems were anticipated and their solutions incorporated into the methodology. Each methodological step was explained and then implemented, thus producing the Canadian HANSARD.

The theoretical methodology remains unchanged for reconstructing the debates of the years following 1841, with only some changes in practical application. The most important change from one year to the next is the basic source material, the newspapers containing the parliamentary reports. Twenty newspapers were consulted for the session of 1852,** the chief characteristics of which are described in the following table.

*In this way the entire texts of the JOURNALS is reproduced in the reconstructed HANSARD. Also included are references to Appendices to the JOURNALS, although these Appendices, often volumes long, are not reproduced in this work, nor mentioned in our Index.

**The table for 1852 is given separately from that of 1853 which will be found in Volume XI, Part III. The Subject Index alone is common to these two sessions.

Newspaper	District, Section	Language	Political Orientation	Special M.P.'s Paper on Microfilm	Completeness of Paper on Microfilm	Weekly Distribution	Average Number of Columns of Debate per Issue	Completeness of Reports	Person Re- ported in	Origin of Reports	Coverage Given to Legislative Council
L'AVENIR	Montreal, L.C.	French	Radical Reform	Radical Reformers	Very	Weekly: Wed- nesday	2 - 3	Mainly Commu- naries, good coverage of some French speeches	First, Third	Original	Infrequently, 0-1 column
BATHURST COURIER	Bathurst, U.C.	English	Reform	Reformers	Very	Weekly: Friday	1 - 3	Good	Third	Copied, usually from L.C. English papers	Never
BRITISH COLONIST	Toronto, Home, U.C.	English	Moderate Conservative	-	Very	Twice: Tues- day, Friday	1 - 3	Good	Third	Original or copied from L.C. English papers	Never
BRITISH WIG	Kingston, Midland, U.C.	English	Conservative	-	Very	Daily	1 - 3	Good	Third	Copied from Morn- ing Chronicle or Quebec Gazette	Regularly, 1 column
EXAMINER	Toronto, U.C.	English	Reform	-	Very	Weekly: Wed- nesday	2 - 4	Good	Third	Usually summaries of Morning Chron- icle's accounts	Infrequently, 1-2 columns
GLOBE	Toronto, U.C.	English	Reform	U.C. Radical Re- formers, especially George Brown	Very	Three times: Tuesday, Thurs- day, Saturday	5 - 9	Excellent	First, Third	Original	Never
HAMILTON GAZETTE	Hamilton, U.C.	English	Conservative	-	Several issues missing	Twice: Mon- day, Thursday	1 - 3	Good	Third	Copied from L.C. English papers	Rarely
HAMILTON SPECTATOR (DAILY)	Hamilton, U.C.	English	Conservative	Sir Allan MacNab	Very	Daily	1 - 3	Good	Third	Some original, some copied from Pilot and Examiner	Rarely
HAMILTON SPECTATOR (WEEKLY)	Hamilton, U.C.	English	Conservative	Sir Allan MacNab	Very	Weekly: Thursday	1 - 3	Good	Third	Usually copied from English Quebec papers	Rarely
LE JOURNAL DE QUEBEC	Quebec, L.C.	French	Reform	French Canadian Reformers, es- pecially Joseph Cauchon	Very	Three times: Tuesday, Thurs- day, Saturday	2 - 5	Very good	First, Third	Original or trans- lated from English Quebec papers	Never
LA MINERVE	Montreal, L.C.	French	Reform	-	Very	Three times: Tuesday, Thurs- day, Saturday	2 - 3	Good coverage of French speeches	First, Third	Some original, some copied from Journal de Quebec or translated from English Quebec papers	Rarely
LE PAYS	Montreal, L.C.	French	Radical Reform	Radical Reformers	Very	Three times: Monday, Wed- nesday, Friday	1 - 3	Short summa- ries and com- mentary	First, Third	Usually copied from Journal de Quebec or Le Ga- nadien	Never
MONTREAL GAZETTE	Montreal, L.C.	English	Conservative	Conservatives	Very	Daily	1 - 3	Good	Third	Copied from Morn- ing Chronicle or Quebec Gazette	Occasionally, 0-1 column
MORNING CHRONICLE	Quebec, L.C.	English	Conservative	-	Very	Daily	3 - 6	Excellent	Third	Original	Never
NiAGARA MAIL	Niagara, U.C.	English	Reform	-	Very	Weekly: Wed- nesday	1 - 3	Good	Third	Copied, usually from Quebec Gazette	Never
NORTH AMERICAN (WEEKLY)	Toronto, U.C.	English	Radical Reform	-	Very	Weekly: Thursday	1 - 3	Very good	Third	Some original, some copied from L.C. English papers	Occasionally, 0-1 column
NORTH AMERICAN (SEMI-WEEKLY)	Toronto, U.C.	English	Radical Reform	-	Very	Twice: Tues- day, Friday	2 - 4	Very good	Third	Usually copied from L.C. English papers	Occasionally, 0-1 column
OTTAWA CITIZEN (formerly PACKET)	Bytown, Ottawa, U.C.	English	Moderate Reform	-	Very	Weekly: Saturday	3 - 6	Very good	Third	Copied, usually from Morning Chron- icle or Leader	Never
PILOT	Montreal, L.C.	English	Reform	Reformers	Very	Daily	1 - 3	Good	Third	Some original, some copied from Morning Chronicle	Never
QUEBEC GAZETTE	Quebec, L.C.	English	Moderate Conservative	-	Very	Three times: Monday, Wed- nesday, Friday	3 - 6	Excellent	Third	Original or copied from Morning Chron- icle	Never

The reasons for including such newspapers as the BATHURST COURIER, the HAMILTON SPECTATOR, and the MORNING CHRONICLE were explained in detail in the Introduction to Volume I. Briefly, they printed parliamentary reports collated from various available sources. Thus they provide a check against missing debates from single issues or even entire newspaper runs which have not been preserved.

The technique used to footnote the collated debates does more than identify the sources from which material was drawn. The footnotes also explain any variations in the methodology, and give certain details useful for understanding the debates. There are five main rules for footnotes. 1) The transcribed text of each speaker's words is identified. When alternate texts are presented, the sources for each text are given. When a single speech has been reconstructed from reports in more than one newspaper, the source of each specific portion of the speech is identified. 2) All alternate sources which have been consulted but not selected are noted, except for reports which just copied the JOURNALS. Included in the alternate sources mentioned are those papers whose reports were either copied, edited or paraphrased from another paper, with the original source noted. 3) Commentaries on the debate in question are noted, and in a few cases, are transcribed verbatim. 4) The footnotes include any additional information necessary to explain the methodology adopted in dealing with situations which do not conform to any of the models described. 5) One of this project's fundamental assumptions is that the JOURNALS' account of proceedings was correct though not always complete. However, there are occasional discrepancies between the JOURNALS and the newspaper reports. These discrepancies are always noted. For example, sometimes the names of movers and seconders are different in the newspapers and the JOURNALS. In these cases the names cited by the newspaper are listed in a footnote.

The Appendices to each day's proceedings are entirely supplementary to the JOURNALS. The Appendices contain: 1) notices of proposed motions, petitions and bills; 2) debates on withdrawn motions; and 3) questions and answers. A substantial part of the Appendices consists of notices of motions. Debates on withdrawn motions are more interesting because they appear nowhere in any official record, whereas the measures of which notice was given appear later in the JOURNALS as a normal part of the legislative activity. The third category in the Appendices is for questions and answers. Despite their importance, they were not recorded in the JOURNALS unless incorporated into a formal motion or address. All questions and answers reported in the newspapers are included in the Appendix for the appropriate day.

The technical forms used remain essentially unchanged from those of preceding volumes: 1) The spelling of speakers' names at the opening of each individual speech has been standardized. Changes from the spelling in the newspaper are not noted. The names most commonly misspelled in newspapers are McNab, Macnab, M'Nab instead of MacNab; McFarlane or MacFarlane instead of McFarland; McKenzie instead of Mackenzie; and various spellings of Macdonald. All spelling of names within a speech is left unchanged, however. 2) Whenever a member was reported to have spoken in English or in French, this fact is noted. For example, "Mr. Cauchon (in French)", whether or not there exists a report of the speech in the language of delivery. 3) A system of double pagination is used. The parenthesized page numbers on the left-hand side refer to the page of the JOURNALS while the centered number is our own. 4) Four of the newspapers are referred to in abbreviated form, the DAILY BRITISH WHIG as the BRITISH WHIG, the HAMILTON SPECTATOR AND JOURNAL OF COMMERCE as the HAMILTON SPECTATOR, the PILOT AND JOURNAL OF COMMERCE as the PILOT, and the ST. CATHARINES AND PORT ROBINSON JOURNAL as the ST. CATHARINES JOURNAL. 5) The various parentheses used in the newspapers

are represented in our text by (). 6) Double parentheses, which were used in previous volumes, have been replaced by square brackets; these contain our own comments, explanatory notes or suggestions. 7) Words such as "expence", "controul", "surprize", and "tems" which were misspelled as often as not, are reproduced without the word [sic]. 8) When, for the sake of clarity, we must interpolate a word, we stay as close as possible to the usual style of the newspaper. 9) When it is necessary to reconstruct a sentence from excerpts drawn from more than one source, the problem of punctuation becomes acute. The strict application of ellipsis, added to the necessary footnote number, is both unwieldy and difficult to assimilate at first reading. As a result, another means of expressing the ellipsis had to be devised. A simple method was adopted, which is also used in sentences which are not reproduced in full, but are cut off before the end. Appropriate punctuation integrates the various excerpts, replacing the awkward ellipses. This editorially imposed punctuation is indicated by the simple expedient of placing the footnote reference immediately following the text, but before our punctuation. Conversely, whenever a footnote follows punctuation, that punctuation has been reproduced from the text of the newspaper. For example, the sentence "SIR A. MACNAB said that he would go to town....¹ he meant to the town of Three Rivers....² as soon as possible....³" becomes "SIR A. MACNAB said that he would go to town¹, he meant to the town of Three Rivers², as soon as possible³."

The style and methodology are designed in all ways to achieve the goal of a verisimilar account of the debates of the Legislative Assembly. The texts are completely unretouched; even grammatical and spelling errors remain uncorrected. One of the reasons for this decision to sacrifice style to fidelity was that the reader or student can best use his own judgment if he has the original material before him. He can then decide how to use the material: he can reproduce it exactly, or he can edit it and improve upon its style in whatever way he judges most appropriate. The only editing imposed upon the work was never for purposes of literary style, but only to render collated passages less disjointed, truncated and confusing. The criterion was never that a passage was awkwardly phrased, but rather that it was incoherent. For example, even the habitual tense changes were never altered to make them consistent so that not infrequently speakers in one debate are reported each in a different tense. In a fairly typical debate, "SIR A. MACNAB thinks" while "DR. NELSON said" and "MR. MONGENAIS had opposed." The real editing work occurred in the earlier stage of the work, when the passages here reproduced as the reconstructed debates were selected. Therefore all elegancies of language are gratuitous, and such texts were invariably selected for content and not because of the felicity with which they were expressed.

There is a common Subject Index for the sessions 1852 and 1853. In order to avoid duplication, this Index will follow the final volume of the 1853 session although it also refers to the 1852 session. For this reason as well, the volumes for 1852 and 1853 will have a common enumeration, i.e., Volume XI, Parts I-IV.

The final form of this manuscript was typed in part by Jennifer Harris, Halina Mankiewicz and Danielle Hébert. Beth McAuley prepared the very complex Subject Index. Johanne Ostiguy, Margaret Spinoso and Murray McGillivray also assisted in the production of this volume. The following pages are a testimony to their careful labour and patience.

EXECUTIVE COUNCILLORS
AND THEIR POSITIONS¹

FOURTH PARLIAMENT - FIRST SESSION - FIRST PART
19 AUGUST 1852 - 10 NOVEMBER 1852

CAMERON, Malcolm

Member of the Executive Council:	28 Oct. 1851 to 10 Sept. 1854
President of the Executive Council:	28 Oct. 1851 to 16 Aug. 1853

CARON, René Edouard²

Member of the Executive Council:	28 Oct. 1851 to 14 Aug. 1853
Member of the Legislative Council:	9 June 1841 to 16 March 1857
Speaker of the Legislative Council:	11 March 1848 to 14 Aug. 1853

CHABOT, Jean

Member of the Executive Council:	23 Sept. 1852 to 26 Jan. 1855
Chief Commissioner of Public Works:	23 Sept. 1852 to 26 Jan. 1855
Member of the Board of Railway Commissioners:	23 Sept. 1852 to 26 Jan. 1855

DRUMMOND, Lewis Thomas

Member of the Executive Council:	28 Oct. 1851 to 23 May 1856
Attorney General, L.C.:	28 Oct. 1851 to 23 May 1856

HINCKS, Francis

Member of the Executive Council:	11 March 1848 to 10 Sept. 1854
Inspector General:	11 March 1848 to 10 Sept. 1854
Member of the Board of Railway Commissioners:	30 Aug. 1851 to 10 Sept. 1854

MORIN, Augustin Norbert

Member of the Executive Council:	28 Oct. 1851 to 26 Jan. 1855
Provincial Secretary:	28 Oct. 1851 to 30 Aug. 1853

MORRIS, James

Member of the Executive Council:	22 Feb. 1851 to 10 Sept. 1854
Postmaster General:	22 Feb. 1851 to 16 Aug. 1853
Member of the Board of Railway Commissioners:	30 Aug. 1851 to 16 Aug. 1853

RICHARDS, William Buell

Member of the Executive Council:	28 Oct. 1851 to 21 June 1853
Attorney General, U.C.:	28 Oct. 1851 to 21 June 1853

ROLPH, John

Member of the Executive Council:	28 Oct. 1851 to 10 Sept. 1854
Commissioner of Crown Lands:	28 Oct. 1851 to 30 Aug. 1853

1. The list of Executive Councillors and Their Positions for 1852 is given separately from that of 1853 which will be found in Volume XI, Part III. The Subject Index alone is common to these two sessions.

2. CARON only held a seat in the Legislative Council, not in the Assembly.

TACHE, Etienne Paschal

Member of the Executive Council:

11 March 1848 to 25 Nov. 1857

Receiver General:

27 Nov. 1849 to 23 May 1856

Member of the Board of Railway

Commissioners:

30 Aug. 1851 to 23 May 1856

YOUNG, John

Member of the Executive Council:

28 Oct. 1851 to 22 Sept. 1852

Chief Commissioner of Public Works:

28 Oct. 1851 to 22 Sept. 1852

Member of the Board of Railway

Commissioners:

28 Oct. 1851 to 22 Sept. 1852

MEMBERS OF THE LEGISLATIVE ASSEMBLY AND THEIR CONSTITUENCIES

FOURTH PARLIAMENT, 1st SESSION

1st Part: 19 August 1852 to 10 November 1852

2nd Part: 14 February 1853 to 14 June 1853

Badgley, William.....	Montreal, City, L.C.
Boulton, William Henry ¹	Toronto, City, U.C.
Brown, George.....	Kent, U.C.
Burnham, Asa A.	Northumberland, U.C.
Cameron, Malcolm.....	Huron, U.C.
Cartier, Georges Etienne.....	Verchères, L.C.
Cauchon, Joseph Edouard.....	Montmorency, L.C.
Chabot, Jean.....	Bellechasse, L.C.
Chapais, Jean Charles.....	Kamouraska, L.C.
Chauveau, Pierre Joseph Olivier.....	Québec, County, L.C.
Christie, David.....	Wentworth, U.C.
Christie, Robert.....	Gaspé, L.C.
Clapham, John Greaves.....	Mégantic, L.C.
Crawford, George.....	Brockville, Town, U.C.
Dixon, Thomas C.	London, Town, L.C.
Drummond, Lewis Thomas.....	Shefford, L.C.
Dubord, Hypolite.....	Québec, City, L.C.
Dumoulin, Pierre Benjamin.....	Yamaska, L.C.
Egan, John.....	Ottawa, County, L.C.
Fergusson, Adam Johnston.....	Waterloo, U.C.
Fortier, Thomas.....	Nicolet, L.C.
Fournier, Charles François.....	L'Islet, L.C.
Galt, Alexander Tilloch ²	Sherbrooke, Town, L.C.
Gamble, John William.....	York, South, U.C.
Gouin, Antoine Nemèse.....	Richelieu, L.C.
Hartman, Joseph.....	York, North, U.C.
Hincks, Francis.....	Oxford, Town, U.C.
Jobin, Joseph Hilarion.....	Berthier, L.C.
Johnson, Thomas Hall.....	Prescott, U.C.
Lacoste, Louis.....	Chambly, L.C.
Langton, John.....	Peterborough, U.C.
LaTerrière, Marc Pascal de Sales.....	Saguenay, L.C.
Laurin, Joseph.....	Lotbinière, L.C.
LeBlanc, Ovide.....	Beauharnois, L.C.
LeBoutillier, David.....	Bonaventure, L.C.
Lemieux, François.....	Dorchester, L.C.
Lyon, George Byron.....	Russell, U.C.
Macdonald, John Alexander.....	Kingston, City, U.C.
Macdonald, John Sandfield.....	Glengarry, U.C.
Mackenzie, William Lyon.....	Haldimand, U.C.
MacNab, Allan Napier.....	Hamilton, City, U.C.
Malloch, Edward.....	Carleton, U.C.
Marchildon, Thomas.....	Champlain, L.C.
Mattice, William.....	Stormont, U.C.
McDonald, Roderick.....	Cornwall, Town, U.C.
McDougall, John.....	Drummond, L.C.
McLachlin, Daniel.....	Bytown, U.C.
Merritt, William Hamilton.....	Lincoln, U.C.

Mongenais, Jean Baptiste.....	Vaudreuil, L.C.
Morin, Augustin Norbert.....	Terrebonne, L.C.
Morrison, Joseph Curran.....	Niagara, Town, U.C.
Murney, Edmund.....	Hastings, U.C.
Paige, Seneca.....	Missisquoi, L.C.
Papineau, Louis Joseph ³	Two Mountains, L.C.
Patrick, William.....	Grenville, U.C.
Polette, Antoine.....	Three Rivers, L.C.
Poulin, Joseph Napoléon.....	Rouville, L.C.
Prince, John.....	Essex, U.C.
Richards, William Buell.....	Leeds, U.C.
Ridout, George Percival.....	Toronto, City, U.C.
Robinson, William Benjamin.....	Simcoe, U.C.
Rolph, John.....	Norfolk, U.C.
Rose, Jesse Wright.....	Dundas, U.C.
Sanborn, John Sewell.....	Sherbrooke, County, L.C.
Seymour, Benjamin.....	Lennox & Addington, U.C.
Shaw, James.....	Lanark, U.C.
Sherwood, Henry ¹	Toronto, City, U.C.
Short, Edward ²	Sherbrooke, Town, L.C.
Sicotte, Louis Victor.....	St. Hyacinthe, L.C.
Smith, Henry.....	Frontenac, U.C.
Smith, James.....	Durham, U.C.
Stevenson, David Barker.....	Prince Edward, U.C.
Street, Thomas Clark.....	Welland, U.C.
Stuart, George Okill.....	Québec, City, L.C.
Taché, Etienne Paschal.....	Rimouski, L.C.
Terrill, Hazard Bailey ⁴	Stanstead, L.C.
Terrill, Timothy Lee ⁴	Stanstead, L.C.
Tessier, Ulric Joseph.....	Portneuf, L.C.
Turcotte, Joseph Edouard.....	St. Maurice, L.C.
Valois, Michel François.....	Montréal, County, L.C.
Varin, Jean Baptiste.....	Huntingdon, L.C.
Viger, Louis Michel.....	Leinster, L.C.
White, John.....	Halton, U.C.
Willson, Crowell.....	Middlesex, U.C.
Wright, Amos.....	York, East, U.C.
Wright, George.....	York, West, U.C.
Young, John.....	Montréal, City, L.C.

-
1. H. Sherwood was elected to represent Toronto, City, on 28 April 1853, in the room of W.H. Boulton, whose election was declared null and void on 29 March 1853.
 2. A.T. Galt was elected to represent Sherbrooke, Town, on 8 March 1853, in the room of E. Short, who was appointed Judge on 12 November 1852.
 3. L.J. Papineau was elected to represent Two Mountains on 9 July 1852, in the room of W.H. Scott, deceased.
 4. T.L. Terrill was elected to represent Stanstead on 23 November 1852, in the room of H.B. Terrill, deceased.

THURSDAY, 19 AUGUST 1852.

(1)

ON which day, being the first day of the Meeting of this Parliament for the Despatch of Business, pursuant to a Proclamation (hereunto annexed) of His Excellency the Right Honorable James, Earl of Elgin and Kincardine, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor General, -- Gustavus William Wicksteed and William Poyntz Patrick, Esquires, Commissioners appointed by Dedimus Potestatem for administering the Oath to the Members of the Legislative Council and Legislative Assembly, came at the hour of one o'clock in the afternoon, into the Room allotted for the Sittings of the Assembly, and William Burns Lindsay, Esquire, Clerk of the Legislative Assembly, attending according to his duty, and Felix Fortier, Esquire, Clerk of the Crown in Chancery, having delivered to the said Mr. Lindsay, a Roll containing a List of the Names of such Members as had been returned to serve in this Provincial Parliament, together with two Certificates of Returns of Members for the Counties of Huron and Two Mountains, (copies of which List and Certificates are hereunto annexed,) the Commissioners did administer the Oath to the Members who appeared, which being done, and the Members having subscribed the Roll containing the Oath, they took their Seats in the Assembly.¹

At one o'clock the members of the House of Assembly began to collect in their Chamber, and an hour was devoted to administering the oath of allegiance. Nearly all the representatives composing the popular branch of the Legislature reported themselves.²

As the clock struck two, the booming of cannon and the flourish of trumpets announced that the Governor General was approaching, and quickly the State carriage, surrounded by a brilliant staff of military officers, drove into the court-yard. His Excellency, who appeared to be in good health and spirits, proceeded at once to the Legislative Council room, where the beauty and fashion of the capital were assembled. The chamber is very elegantly and very gorgeously fitted up, and the scene presented, when His Excellency took his seat on the throne, was very fine. The Black Rod was immediately despatched to the Lower House to summon the Commons to the Vice regal presence.³

(1)

A Message was brought by Réné Kimber, Esquire, Gentleman Usher of the Black Rod:--

(2)

Gentlemen,

His Excellency the Governor General desires the immediate attendance of the Members of this Honorable House in the Legislative Council Chamber.

Accordingly, the Members went to attend His Excellency in the Legislative Council Chamber; where being,

The Honorable Speaker of the Legislative Council said:--

Honorable Gentlemen, and the Gentlemen of the Legislative Assembly,

His Excellency the Governor General does not see fit to declare the causes of his summoning the present Provincial Parliament, until a Speaker of the Legislative Assembly shall have been chosen according to Law; but that To-morrow, at the hour of three o'clock in the afternoon, His Excellency will declare the causes of his calling this Parliament.

The House of Assembly thereupon withdrew from the bar. The Lower House now became the scene of attraction. The members took their seats in full strength and all the galleries were crowded with eager spectators. The Clerk ... called the House to order⁴.

(2)

And the Members being returned;

The Honorable Francis Hincks, Member representing the County of Oxford and the Town of Niagara, addressing himself to the Clerk, (who, standing up, pointed to him, and then sat down,) proposed to the House for their Speaker, John Sandfield Macdonald, Esquire, which Motion was seconded by the Honorable Augustin Norbert Morin, Member representing the County of Terrebonne.⁵

MR. INSP. GEN. HINCKS rose to propose Mr. John Sandfield Macdonald,⁶ the hon. member for Cornwall⁷, as a fit and proper person to fill the chair of the House of Assembly⁸ [and] to preside over the House⁹. He commenced with a fine panegyric on the dignity and importance of the Speakership¹⁰. He said the office of Speaker was at once a highly honorable and highly responsible position, and it was the only office of any¹¹ distinction, almost¹² which was the gift of the people.¹³ The House could ... place no one in the chair unless perfectly qualified for the post.¹⁴ In the selection, therefore, of a person to fill this post, due regard should be had to the wishes of all parties, and that person should be selected whose¹⁵ political sentiments were in unison with the majority of people, and¹⁶ of the representatives¹⁷ [in] the House¹⁸ who was known to favour these measures of progressive reform¹⁹ so loudly called for by a majority of the people of the country, and at the same time one who would fill the chair with impartiality, and be ready to do justice to all.²⁰ He said there had been strong manifestations of public opinion in favour of Mr. McDonald, that his appointment would be highly popular in Upper Canada.²¹ It had not been the practice ... that a minister of the crown should propose the candidate for ... the office²² [of] Speaker for the house ... in this country²³. Nor was it the practice in England²⁴.

[OR] It was not the English practice for a member of the Government to propose a Speaker, but it was usual here.²⁵ He could not forget that as well as being a minister of the crown, he was a representative of the people, and he, therefore, did not think he ought to refrain from taking part in the discussion of this question.²⁶ In proposing Mr. McD. [he was] not [acting] as a member of the Government, but as a representative of a constituency second to but few in the Province.²⁷ It was not true that the ministry proposed this gentleman to enforce him on their friends. On the contrary he had been proposed by the Reform party in Upper Canada with universal approbation, and when the ministers from Upper Canada saw this general feeling on the part of their friends, they did press on their colleagues from Lower Canada the propriety of electing a speaker from Upper Canada²⁸. During three parliaments since the union,²⁹ the reform party had steadily voted for Lower Canadians--³⁰ Frenchmen³¹--and it was now the duty of the house to elect a member from Upper Canada to that honorable position.³² L.C. members of Government joined in recommending him to change³³. It had been said that Mr. Macdonald was not sufficiently conversant with the French language to fill the chair. He did not believe that to be an objection, but even if it were one, he could assure honorable gentlemen that the member for Glengary was sufficiently acquainted with that language³⁴ [and] there seemed to be no objection to an Upper Canadian on that score.³⁵ His colleagues had come forward on account of the expression in Upper Canada in favor of this gentleman, and consented to waive any consideration which they might entertain in favor of a Lower Canadian, and give their vote for Mr. Macdonald. To that gentleman they felt that they and the country at large were under a debt of gratitude, which they could never fully repay. Persons might suppose that the gentleman was named because he was a partizan of the government, and on that account might favor the government after he was elected to the speakership. He repudiated any such intention.³⁶ He did not desire ... to place a partizan in the Chair.³⁷ It was the duty of the gentleman, whoever he might be, who was elected to preside over the deliberations of the house, to act with the strictest impartiality. The duties of the speaker³⁸ how-

ever were arduous,³⁹ and it was almost impossible for any gentleman to avoid at times being accused of partiality,⁴⁰ by both parties in spite of his best endeavours. Still⁴¹ if the speaker exercised the functions of his office with⁴² impartiality⁴³, moderation and becoming firmness, he should always command the⁴⁴ respect of the House and obtain its support in the preservation of order.⁴⁵ It was difficult to please both sides, but he hoped he would be sustained by the House.⁴⁶

MR. PROV. SEC. MORIN seconded the nomination⁴⁷ in French.⁴⁸ He thought that ... it was only justice to Upper Canada that a gentleman from that section of the Province should be elected⁴⁹ on the present occasion⁵⁰. But apart from mere sectional reasons, he was of opinion that Mr. Macdonald was the fittest person that could now be selected⁵¹. The hon. member in question was one whose experience best of all qualified him for the presidency [sic] of the House, in whose discussions⁵² he had for so many years taken part.⁵³

MR. H. SMITH opposed the motion⁵⁴. [He] was surprised at the conduct of the Inspector General and his colleagues. He appealed to those members of the House who had been in it for a length of time, and he would ask them whether they had ever seen a minister of the crown propose a gentleman for the speaker's chair, nor had he ever heard of a history of the reform party, or any other party, being given on such occasions. He believed that Mr. Macdonald was not proposed on account of any special qualification which he possessed for the office,⁵⁵ [nor] because the Ministry had confidence in him;⁵⁶ but because the Ministry were afraid of him.⁵⁷ J.S. Macdonald had no confidence in the Ministry.⁵⁸ It was well known that after the⁵⁹ recent election it was rumoured, that Mr. Macdonald possessed a considerable amount of influence [and] that he was likely to head a small party in the house⁶⁰. [He] had a tail of four or five members, who would vote with him, and therefore this plan was adopted.⁶¹ It was on this account that the members of the government saw fit to nominate him as speaker.⁶² If the country had as much confidence in Mr. Macdonald as the Inspector General said, why did Ministers turn him out of his office of Solicitor General.⁶³ Why had ... he been put out of the government? He had been chiseled [sic] out of his office by the present administration⁶⁴ and this was meant as a douceur for him and his tail.⁶⁵ (Cries of no, no.) Well he would like some explanation on the matter. Mr. Macdonald had himself informed him that he had no expectations of being put out. They had been told that the government owed him a debt of gratitude. The government had put him out of his office, and now they wished to make him speaker of the house: this was the way the government paid the debts of gratitude.⁶⁶ As to Mr. Macdonald's qualifications, he (Mr. Smith) knew nothing of his boasted knowledge of French but he was sure there was a gentleman in the House, from Lower Canada, in whose qualifications the House and the country would place much more confidence.⁶⁷ He was not going to name any person in opposition to Mr. Macdonald, but he knew that others might be named who would meet with the approbation of the house better than the gentleman proposed could hope to do. If the name of a certain gentleman from Lower Canada were proposed, he knew that the Government would be defeated.

The Inspector General had said that he did not propose the member for Glen-gary as a member of the Government, but as a private member of the house. He (Mr. Smith) believed that if the gentleman proposed were defeated, that it would be a ministerial defeat.⁶⁸ The ministry themselves had acknowledged this, and had forced supporters to vote for them, by threats of resignation. They had thus coerced their supporters into voting for this proposition,⁶⁹ and he challenged them to deny it.⁷⁰ Let every gentleman, then, vote independently, and not be cajoled into giving a vote which would hereafter be regarded as a vote of confidence. He hoped honorable gentlemen would⁷¹ freely⁷² express their opinions

on the matter.⁷³

MR. ROSE⁷⁴ (Dundas) said he would not have addressed the house on this question, but for certain remarks that had fallen from the member who had just sat down in reference to the opinion of Mr. Macdonald towards the present Government.⁷⁵ [He] denied that this was to be looked on as a ministerial proposition⁷⁶. He had been acquainted with the honorable member for Glengary, and had had ample opportunity of knowing his opinions both before and after the recent elections; indeed he might be supposed to be one of those to whom the hon. member for Frontenac had alluded as forming a tail to Mr. Macdonald; and he believed that Mr. Macdonald held precisely similar views towards the Government now, that he entertained when connected with them.⁷⁷ After the election Mr. Macdonald, though he knew he was not to be in the ministry, had told him that he would support the ministry whenever he thought their measures were for the good of the country.⁷⁸ Mr. Macdonald ... had given no pledges⁷⁹. For his [Mr. R's] part he believed that all members should come to Parliament with the same motives, to support all measures, whether emanating from the government or not, which were calculated to benefit the country, and he hoped that every member coming to the house would come prepared to support the government in such measures.⁸⁰ It was in that way that all members should maintain their independence. He (Mr. R.) had been elected upon that understanding, and he believed Mr. Macdonald had also been so elected.⁸¹ Mr. Macdonald, from his talents, respectability, and private worth, would exercise considerable influence in any body ... he had known him since he knew anything ... he might be considered as a self-made man, and ... great satisfaction would be given by his election.⁸² If the press was to be taken as any criterion as to the views of the public on the qualifications of Mr. Macdonald as speaker of the house, he believed that members could not go wrong in supporting him.⁸³

MR. TURCOTTE ... made a few remarks in French⁸⁴. [He] was of opinion that the Lower Canadian members of the House, in voting for Mr. Macdonald, made a certain sacrifice,⁸⁵ because, he felt that, however, much Mr. Macdonald understood French, he did not understand it sufficiently to comprehend, the purport of what a speaker said.⁸⁶ But he believed that Upper Canada had a right to the Speakership, and he would ... vote for Mr. Macdonald⁸⁷ for the sake of equality between the two sections of the Province. In doing so he wished ministers to understand that it was the first sacrifice by the French Canadians that session on ... behalf⁸⁸ [of] the Government,⁸⁹ made in the hope that it would be duly appreciated.⁹⁰

Mr. Turcotte⁹¹ was loudly cheered by MR. H. SMITH.⁹²

(2)

And the Clerk having put the question, "That John Sandfield Macdonald, Esquire, do take the Chair of this House, as Speaker;"

The House divided: and the names of the Members were taken down, as follow:--

YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, LaTerrière, Laurin, LeBlanc, LeBoutillier, Lemieux, McDonald of CORNWALL, Marchildon, Mackenzie, Mattice, McDougall, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Attorney General Richards, Rolph, Rose, Sanborn, Short, Sicotte, Smith of DURHAM, Taché, Terrill, Tessier, Turcotte, Valois, Varin, Viger, White, Wright of East Riding of YORK, and Young.--(55.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Crawford, Dixon, Dubord, Gamble, Langton, Lyon, Macdonald of KINGSTON, Sir A.N. MacNab, Malloch, Murney, Ridout, Robinson,

Seymour, Shaw, Smith of FRONTENAC, Stevenson, Street, Stuart, Willson, and Wright of West Riding of YORK.--(23.)

So it was resolved in the Affirmative.

And the Clerk having declared John Sandfield Macdonald, Esquire, duly elected, he was conducted to the Chair by the Honorable Mr. Hincks and the Honorable Mr. Morin; where, standing on the upper step, he returned his humble acknowledgments to the House for the great honor they had been pleased to confer upon him, by choosing him to be their Speaker.

MR. J.S. MACDONALD the SPEAKER was then introduced by Messrs. Hincks and Morin, and returned thanks for the honor which had been conferred upon him. He said he felt that he was scarcely adequate to the important and onerous duties which devolved upon him, but hoped that the members of the House would extend to him their aid in preserving order, and in suppressing any irregularity.⁹³ [He] craved the indulgence of members should he err in the discharge of his weighty duties.⁹⁴ He regretted that his knowledge of the French language was so deficient as to prevent him from addressing the French members as he should wish, but hoped, by a course of modest and strict impartiality, to merit and obtain the approval of the House. The hon. gentleman spoke in French and English.⁹⁵

(2)

And thereupon he sat down in the Chair; and then the Mace (which before lay under the Table) was laid upon the Table.

(3)

Then, the Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, That the House do now adjourn;

And the House accordingly adjourned till To-morrow.

FOOTNOTES: 19 AUGUST 1852.

1. The scene at the opening of Parliament was described in detail by GLOBE, 24 August 1852. The following papers noted the event in identical accounts: QUEBEC GAZETTE, 20 August 1852, PILOT, 23 August 1852, BRITISH WHIG, 24 August 1852, HAMILTON SPECTATOR DAILY, 25 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, and BATHURST COURIER, 27 August 1852; MONTREAL GAZETTE, 20 August 1852, and BRITISH WHIG, 21 August 1852. It was also noted by: MORNING CHRONICLE, 20 August 1852; and L'AVENIR, 25 August 1852.
2. GLOBE, 24 August 1852.
3. IBID.
4. IBID.
5. The following papers reported the debate on this matter in identical accounts: QUEBEC GAZETTE, 20 August 1852, PILOT, 23 August 1852, BRITISH WHIG, 24 August 1852, EXAMINER, 25 August 1852, HAMILTON SPECTATOR DAILY, 25 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, and BATHURST COURIER, 27 August 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 20 August 1852, BRITISH COLONIST, 24 August 1852, HAMILTON GAZETTE, 26 August 1852 (which copied from TORONTO DAILY COLONIST, of unknown date), JOURNAL DE QUEBEC, 21 August 1852, and L'AVENIR, 25 August 1852, (which copied from JOURNAL DE QUEBEC). The debate was also reported by GLOBE, 24 August 1852. The following papers noted the debate in identical accounts: MONTREAL GAZETTE, 20 August 1852, and BRITISH WHIG, 21 August 1852. Commentaries appeared (in separate accounts) in: GLOBE, 24 August 1852; HAMILTON SPECTATOR DAILY, 25 August 1852; HAMILTON GAZETTE, 26 August 1852; and L'AVENIR, 25 August 1852.
6. PILOT, 23 August 1852.
7. MORNING CHRONICLE, 20 August 1852.
8. PILOT, 23 August 1852.
9. MORNING CHRONICLE, 20 August 1852.
10. GLOBE, 24 August 1852.
11. PILOT, 23 August 1852.
12. MORNING CHRONICLE, 20 August 1852.
13. PILOT, 23 August 1852.
14. MORNING CHRONICLE, 20 August 1852.
15. PILOT, 23 August 1852.
16. GLOBE, 24 August 1852.
17. PILOT, 23 August 1852.
18. MORNING CHRONICLE, 20 August 1852.
19. GLOBE, 24 August 1852.
20. PILOT, 23 August 1852.
21. GLOBE, 24 August 1852.
22. MORNING CHRONICLE, 20 August 1852.
23. PILOT, 23 August 1852.
24. MORNING CHRONICLE, 20 August 1852.
25. GLOBE, 24 August 1852.
26. MORNING CHRONICLE, 20 August 1852.
27. GLOBE, 24 August 1852.
28. MORNING CHRONICLE, 20 August 1852.
29. PILOT, 23 August 1852.
30. MORNING CHRONICLE, 20 August 1852.
31. GLOBE, 24 August 1852.
32. PILOT, 23 August 1852.
33. GLOBE, 24 August 1852.
34. PILOT, 23 August 1852.

35. MORNING CHRONICLE, 20 August 1852.
36. PILOT, 23 August 1852.
37. MORNING CHRONICLE, 20 August 1852.
38. PILOT, 23 August 1852.
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44. PILOT, 23 August 1852.
45. MORNING CHRONICLE, 20 August 1852.
46. GLOBE, 24 August 1852.
47. PILOT, 23 August 1852.
48. GLOBE, 24 August 1852.
49. PILOT, 23 August 1852.
50. MORNING CHRONICLE, 20 August 1852.
51. PILOT, 23 August 1852.
52. MORNING CHRONICLE, 20 August 1852.
53. PILOT, 23 August 1852.
54. GLOBE, 24 August 1852. HAMILTON SPECTATOR, 26 August 1852, commented that "Mr. Smith, of Frontenac, made a spirited and telling speech against the Ministry, in reply to Mr. Hincks's eulogy of John Sandfield McDonald."
55. PILOT, 23 August 1852.
56. MORNING CHRONICLE, 20 August 1852.
57. PILOT, 23 August 1852.
58. GLOBE, 24 August 1852.
59. MORNING CHRONICLE, 20 August 1852.
60. PILOT, 23 August 1852.
61. MORNING CHRONICLE, 20 August 1852.
62. PILOT, 23 August 1852.
63. MORNING CHRONICLE, 20 August 1852.
64. PILOT, 23 August 1852.
65. GLOBE, 24 August 1852.
66. PILOT, 23 August 1852.
67. MORNING CHRONICLE, 20 August 1852.
68. PILOT, 23 August 1852.
69. MORNING CHRONICLE, 20 August 1852.
70. BRITISH COLONIST, 24 August 1852.
71. PILOT, 23 August 1852.
72. GLOBE, 24 August 1852.
73. PILOT, 23 August 1852.
74. GLOBE, 24 August 1852, which commented: "Mr. Rose's speech was very effective for a beginning. It contained good sense, was well connected and spiritedly delivered--altogether a capital debate." PILOT, 23 August 1852, incorrectly attributed this speech to Mr. Ross.
75. PILOT, 23 August 1852.
76. MORNING CHRONICLE, 20 August 1852.
77. PILOT, 23 August 1852.
78. MORNING CHRONICLE, 20 August 1852.
79. GLOBE, 24 August 1852.
80. PILOT, 23 August 1852.
81. MORNING CHRONICLE, 20 August 1852.
82. GLOBE, 24 August 1852.
83. PILOT, 23 August 1852.
84. GLOBE, 24 August 1852.
85. PILOT, 23 August 1852.

86. MORNING CHRONICLE, 20 August 1852.
87. PILOT, 23 August 1852.
88. MORNING CHRONICLE, 20 August 1852.
89. PILOT, 23 August 1852.
90. MORNING CHRONICLE, 20 August 1852.
91. IBID.
92. GLOBE, 24 August 1852.
93. PILOT, 23 August 1852.
94. GLOBE, 24 August 1852.
95. PILOT, 23 August 1852. L'AVENIR, 25 August 1852, commented: "M. McDonald remercia l'assemblée de l'honneur qu'elle venait de lui conférer et fit une tentative peu heureuse pour prouver qu'il connaissait le français. La vérité est que M. McDonald ne s'exprime qu'avec difficulté en français, comme un écolier anglais qui étudie notre langue, et il lui sera presque impossible de comprendre un débat animé en français."

FRIDAY, 20 AUGUST 1852.¹

(3)

THE House being met; and Mr. Speaker elect having taken the Chair;

A Message was brought by Rémi Kimber, Esquire, Gentleman Usher of the Black Rod:--

Mr. Speaker,

His Excellency the Governor General desires the immediate attendance of this Honorable House in the Legislative Council Chamber.

Accordingly Mr. Speaker elect, with the House, went to the Council Chamber.

And there Mr. Speaker spoke to the following effect, viz:--

May it please Your Excellency,

The Legislative Assembly have elected me as their Speaker, though I am very little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Assembly whose servant I am, and who, through me, humbly claim to enable them the better to discharge their duty to Her Majesty and their Country, all their undoubted rights and privileges, especially that they may have Freedom of Speech in their Debates, access to Your Excellency's person at all seasonable times, and that their proceedings may receive from Your Excellency the most favorable interpretation.

Then the Honorable Speaker of the Legislative Council said:--

Mr. Speaker,

I am commanded by His Excellency the Governor General to declare to you, that he freely confides in the duty and attachment of the Assembly to Her Majesty's Person and Government, and not doubting that their proceedings will be conducted with wisdom, temper, and prudence, he grants, and upon all occasions will recognize and allow their constitutional privileges.

I am commanded, also, to assure you that the Assembly shall have ready access to His Excellency upon all seasonable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favorable construction.

The House being returned;

Mr. Speaker reported, That the House had been in the Legislative Council Chamber, and that he had informed His Excellency that the choice of Speaker had fallen upon him; and also, that he had, in their name and on their behalf, by humble Petition to His Excellency, laid claim to all their rights and privileges, that they may enjoy Freedom of Speech in their Debates, and have access to His Excellency's person as occasion shall require, and that all their proceedings may receive from His Excellency the most favorable construction; to which His Excellency had been pleased to say, that he readily and willingly granted and allowed them their constitutional privileges, as well as ready access to His Excellency on all seasonable occasions, and that their proceedings, as well as their words and actions, will constantly receive from him the most favorable construction.

(4)

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to provide for the administration of the Oaths of Office to persons appointed to be Justices of the Peace in this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time.

Mr. Speaker reported, That when the House did attend His Excellency the Governor General, this day, in the Legislative Council Chamber, His Excellency was pleased to make a Speech to both Houses of the Provincial Parliament, of which Mr. Speaker said he had, to prevent mistakes, obtained a Copy; which he

read to the House, as followeth:²

Honorable Gentlemen of the Legislative Council,

Gentlemen of the House of Assembly,

I have much pleasure in meeting you in order that we may unite our endeavors for the promotion of the interests of the Province.

Notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has, I am happy to inform you, prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament. I am enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province. Provincial Securities continue to rise steadily in value, and the Returns of the Census recently completed, furnish most satisfactory evidence of the advancement of the Colony in wealth and population.

The estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service. There is reason to believe that before long the receipts of the Department will balance the expenditure.

A heavy calamity has, however, I am greatly concerned to state, befallen the Province in the destruction by Fire of a large portion of the important City of Montreal. I am confident that you will bestow your best consideration on any measure that may be proposed to you for the purpose of mitigating its effects.

The importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, has been frequently recognized by Parliament. A measure will be submitted for your consideration, which will, I have reason to believe, promote the accomplishment of these objects.

I shall cause such documents to be laid before you as will put you fully in possession of the steps which I have taken during the Recess with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways. I have endeavored, in these proceedings, to act, in so far as circumstances have permitted, in concert with the Lieutenant Governors of the Lower Provinces.

In connection with these works, and with the subject of public improvements generally, the position of Bonds issued on the credit of the Municipalities in Upper Canada merits attention. The security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description. It is not improbable, however, that your wisdom may devise measures which, without materially altering their character, may tend to enhance their value in the market.

The importance of establishing direct Steam Communication between Great Britain and the Ports of Quebec and Montreal, has been repeatedly pressed on the Government by persons interested in the Commerce of the Province. The subject, which has a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, has engaged my anxious attention during the Recess. A plan for the attainment of the object in view, which will I trust meet your approbation, will be submitted for your consideration.

(5)

I shall lay before you a Despatch which I have received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference to the Clergy Reserves; and stating the grounds on which Her Majesty's Ministers refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on this subject.

Gentlemen of the Legislative Assembly,

The condition of the Revenue is satisfactory, and indicates general prosperity among the consuming population of the Province.

I shall direct the Accounts for the past and the Estimates for the current year to be laid before you, and I rely on your readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province, and the efficiency of the Public Service.

Honorable Gentlemen and Gentlemen,

Various subjects of much importance to the interests of the Province will no doubt engage your attention during the Session which is now commencing.

An addition to the Representation seems to be called for by the increasing population of the Province, and the rapid developement of some of its more recently settled Districts.

It is probable that through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, you may be enabled to establish an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province.

In connection with this subject, I recommend for your consideration the claims of certain classes of occupiers now excluded from the franchise, on whom there is reason to believe, it may be conferred with advantage to the public interests.

The interests of Agriculture are entitled to the special care and attention of Government in a Country where so large a portion of the community is employed in Agricultural pursuits. The absence of any sufficient provision for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, has been long a subject of complaint. I do not doubt that you will bestow your best consideration on any unobjectionable measures that may be suggested for remedying this defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province.

It is probable that grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, may engage your attention. I am confident that in dealing with this subject, which is one of great delicacy, you will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province.

The arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylums appear to be, I regret to observe, in some respects defective. The care of these unfortunate persons involves considerations of humanity of the highest order, and I confide in your readiness to bestow your best attention on any measure that may be submitted to you for the remedy of this evil.

In all the measures which you may adopt for the promotion of the interests of the Province, and the happiness, and contentment of the People, you may rely on my zealous co-operation, and I shall now further detain you from the important duties in which you are about to engage, only to express my humble hope that the Almighty may render our endeavors efficacious for the public good.

(6)

On motion of the Honorable Mr. Badgley, seconded by Mr. Dubord,

Ordered, That the Clerk of the Crown in Chancery do forthwith attend this House with the last Returns of the Returning Officer appointed to preside at the last Election of a Member for the County of Gaspé, and the Poll Books transmitted therewith, together with a Letter by him received from the Returning Officer of that County since his Special Return, and the Poll Books transmitted with the said Letter.

The Clerk of the Crown in Chancery attended, according to Order, with the said Poll Books and other Documents, and laid the same before the House.

Resolved, That it appears by the said Return and Poll Books transmitted therewith, and the said Poll Books transmitted with the said Letter since the said Return, that at the close of the said Election, Robert Christie, Esquire, one of the Candidates, had a majority of votes.

Resolved, That the said Robert Christie, Esquire, ought to be returned as Knight Representative to serve for the County of Gaspé in this present Parliament.

Resolved, That the said Robert Christie, Esquire, has a right to take his Seat in this House as Representative for the said County of Gaspé, saving, however, to all Candidates and Electors their right of contesting the said Election, if they think proper, in such manner as by law and justice may appertain, and according to the usages of Parliament.

Ordered, That the Clerk of the Crown in Chancery do attend this House forthwith, and amend the Return of the said County of Gaspé, by stating that at the said Election the said Robert Christie, Esquire, was duly elected to represent the said County of Gaspé.

The Clerk of the Crown in Chancery attended, according to Order, and amended the Return for the County of Gaspé.

Robert Christie, Esquire, Member for the County of Gaspé, having previously taken the Oath, according to law, and subscribed before the Commissioners the Roll containing the same, took his Seat in the House.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--Five Petitions of the Municipal Council of the County of Carleton; and the Petition of the President and Directors of the County of Carleton General Protestant Hospital.

By the Honorable Mr. Badgley,--The Petition of the Company of Proprietors of the Champlain and St. Lawrence Railroad.

By Mr. Christie of Gaspé,--The Petition of R.H.J.B. McCurmin, Esquire, Seigneur, and others, inhabitants of the Seigniorie of Grande Vallée des Monts, District of Gaspé; and the Petition of L. Roy, Esquire, and others, of the Parishes of Ste. Anne des Monts and Cap Chat.

On motion of the Honorable Mr. Morin, seconded by the Honorable Mr. Hincks,

Ordered, That the Speech of His Excellency the Governor General to both Houses of the Provincial Legislature be taken into consideration on Tuesday next.

Ordered, That the Clerk do charge to the Contingencies of this House, the Postage on all Letters and Printed Papers to and from Members of this House during the present Session.

Ordered, That the Votes and Proceedings of this House be printed, being first perused by Mr. Speaker; and that he do appoint the printing thereof; and that no person but such as he shall appoint do presume to print the same.

On motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Morin,

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Resolved, That Select Standing Committees of this House, for the present Session, be appointed for the following purposes:--1. On Privileges and Elections. 2. On Expiring Laws. 3. On Railroads, Canals and Telegraph Lines. 4. On Miscellaneous Private Bills. 5. On Standing Orders. 6. On Printing. 7. On Contingencies. 8. On the Public Accounts; which said Committees shall severally be empowered to examine and enquire into all such matters and things as may be referred to them

by the House, and to report from time to time their observations and opinions thereon; with power to send for persons, papers, and records.

Resolved, That a Select Committee of eleven Members be appointed to prepare and report, with all convenient speed, Lists of Members to compose the Select Standing Committees ordered by this House; and that the said Committee be composed of the Honorable Mr. Hincks, Sir Allan N. MacNab, the Honorable Mr. Chabot, the Honorable Mr. Macdonald, the Honorable Mr. Badgley, Mr. Cartier, Mr. Lacoste, Mr. Christie of Wentworth, Mr. Crawford, Mr. Short, and Mr. Patrick.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Malloch,
The House adjourned till Monday next.

APPENDIX: 20 AUGUST 1852.

[NOTICE OF MOTION RE: ANNUAL REPORTS AND STATEMENTS FROM INCORPORATED COMPANIES.]³

MR. MACKENZIE gave notice of⁴ [a motion] to require from the Chartered Banks, Savings' Banks, Insurance and Railway Companies, and all other incorporated industries the Annual Reports and Statements of their Affairs, provided for in their several Acts of Incorporation.⁵

[NOTICE OF MOTION RE: COURTS OF CONCILIATION.]⁶

MR. MACKENZIE [gave notice of a motion for a] Bill to Establish Courts of Conciliation.⁷

[NOTICE OF MOTION RE: REFORMATION OF MARRIAGE LAWS.]⁸

MR. MACKENZIE ... gave notice of a bill⁹ to reform marriage laws,¹⁰ [and] for the regulation of Marriages--to abolish¹¹ marriage licenses¹² [OR] License Fees --and to place on a footing of equality the several religious denominations as to the solemnization of matrimony.¹³

[NOTICE OF MOTION RE: EXEMPTION OF CERTAIN PROPERTY FROM SEIZURE.]¹⁴

MR. MACKENZIE [gave notice of a motion for a] Bill to exempt from Seizure and Sale under Execution to the value of , the Tools and Implements of any Householder's Trade or Calling, and the Wearing Apparel and other Furniture required for the use of his family.¹⁵

[NOTICE OF MOTION RE: RESTRICTING ACCEPTANCE OF OFFICE.]¹⁶

MR. MACKENZIE [gave notice of a motion for a] Bill to restrict the acceptance of Office in certain cases.¹⁷

[NOTICE OF MOTION RE: RECORDING OF VOTES OF MEMBERS ON FINAL PASSAGE OF BILLS.]¹⁸

MR. MACKENZIE gave notice of a bill for taking and recording the Votes of Members of the Legislative Assembly on the first¹⁹ [OR] final²⁰ passages of Bills.²¹

[NOTICE OF MOTION RE: BILL RELATIVE TO DESTRUCTION OF PARISH REGISTERS.]²²

MR. LAURIN [gave notice of a motion for a] Bill to remedy effectually any inconvenience which might result from the destruction of certain Registers of the Parish of St. Thomas de Lotbinière.²³

[NOTICE OF MOTION RE: LOUIS CELESTIN LEFRANCOIS.]²⁴

MR. CAUCHON gave notice of a motion to bring²⁵ on some future day, the Returning Officer for the County of Montmorency, Louis Celestin Lefrançois, Esquire²⁶ before the²⁷ Bar of this House,²⁸ to answer for²⁹ and [to] render an account of his conduct³⁰ in the management of the³¹ last Election.³²

[NOTICE OF MOTION RE: REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.]

MR. MACKENZIE gave notice of a bill to provide for the Registration of Births, Marriages, and Deaths.³³

[NOTICE OF MOTION RE: APPOINTMENT OF SHERIFFS.]

MR. MACKENZIE gave notice of a bill for the appointment of Sheriffs of Counties in Upper Canada, at periodical elections by the Freeholders.³⁴

[NOTICE OF MOTION RE: ABOLISHING THE DISTINCTION OF QUEEN'S COUNSEL.]

MR. MACKENZIE gave notice of a bill to throw open this Bar, and to abolish the distinction of Queen's Counsel.³⁵

[NOTICE OF MOTION RE: STEAM TUG-BOATS.]³⁶

MR. ROBINSON gave notice of a motion for a vote of Committee to consider and report on the necessity of placing steam tug-boats on the River St. Lawrence, between Lachine and Kingston.³⁷

[NOTICE OF ADDRESS RE: CLERGY RESERVE FUNDS.]³⁸

MR. MACKENZIE [gave notice of a motion for an] Address to His Excellency, for a detailed Return of the several latest Returns on the subject of the Clergy Reserve³⁹ Lands and Funds⁴⁰ sent down to this House.⁴¹

[NOTICE OF ADDRESS RE: AMENDMENTS TO SHIPPING ACT OF 1845.]⁴²

MR. MERRITT [gave notice of a motion] for an address to her Majesty praying that the Act of 1845 be amended by introducing into it the same dispositions as are contained in the Navigation Act of 1840, which secure to British and Colonial vessels the same advantages in transportation as those secured to foreign vessels.⁴³

[NOTICE OF ADDRESS RE: STATEMENT OF CASH TO THE CREDIT OF THE GOVERNMENT.]⁴⁴

MR. MACKENZIE gave notice of an address to the Governor General for a statement of the amount of Cash⁴⁵ in the hands of the Inspector General⁴⁶ to the credit of the Government in the several banks or in private hands, here or in Europe, specifying the conditions⁴⁷ commissions for financial operations, &c.⁴⁸, and rate of interest upon each deposit.⁴⁹

[NOTICE OF ADDRESS RE: REMOVAL OF GOVERNMENT ACCOUNT TO BANK OF UPPER CANADA.]⁵⁰

MR. MACKENZIE gave notice of an address for copies of Correspondence between the Government and the Chartered Banks for the removal of the Government account from the Banks of Montreal and British North America to the Bank of Upper Canada.⁵¹

[NOTICE OF QUESTION RE: CANAL AT SAULT STE. MARIE.]⁵²

MR. ROBINSON [gave notice of an] Enquiry of [the] Ministry, whether it is the intention of the Government to construct a Ship Canal at Sault Ste. Marie, to connect the Waters of Lakes Huron and Superior.⁵³

[NOTICE OF QUESTION RE: MINING LICENSES.]⁵⁴

MR. ROBINSON gave notice of⁵⁵ [an] Enquiry of [the] Ministry if it is the intention of the Government to grant Licenses⁵⁶ [on] Crown Lands⁵⁷ for Mining purposes on the shores of Lakes Huron and Superior, on more profitable terms⁵⁸ [and] more liberal conditions than heretofore?⁵⁹

1. GLOBE, 24 August 1852, described the official opening of Parliament as follows: "THREE O'CLOCK P.M. Cannons boom from the Ramparts--trumpets flourish--the state carriage surrounded by the brilliant staff roll into the Court yard--the "unwashed" cheer lustily--His Excellency is in the building.
"FOUR O'CLOCK P.M. The agony is over. The Black Rod made his three knocks without the door, and his three salaams within it, and summoned the Commons to the bar of the Lords. The Commoners rushed up forthwith to the presence of Vice-Royalty and then and there was his Excellency pleased to deliver a most gracious speech from the throne."
L'AVENIR, 25 August 1852, commented: "Le cérémonial qui a lieu lorsque le gouverneur rencontre les représentants qui s'approchent, guidés qu'ils sont par le sergent d'armes, est des plus ridicules. Les saluts et les courbettes en arrière et en avant, de cet officier public, sont si méprisables, aux yeux des hommes sensés et qui se respectent, qu'elles n'inspirent que le dégoût le plus profond pour les institutions qui peuvent de nos jours enseigner la pratique de telles bouffonneries. Les spectateurs américains se sont bien amusés de cette singerie du parlement anglais."
2. HAMILTON SPECTATOR, 23 August 1852, characterized the address of the Governor General as consisting "of little save a couple of puffs, for the Postmaster and Inspector-Generals, and an indirect attack on the Home Government, over the Clergy Reserves question." GLOBE, 24 August 1852, noted that: "Mr. Speaker read the address in English, and French--the whole house standing."
3. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The following papers reported the notice in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, LE PAYS, 27 August 1852, and JOURNAL DE QUEBEC, 21 August 1852.
4. MORNING CHRONICLE, 21 August 1852.
5. QUEBEC GAZETTE, 23 August 1852.
6. The following papers reported this notice of motion in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, JOURNAL DE QUEBEC, 21 August 1852, and LE PAYS, 27 August 1852.
7. QUEBEC GAZETTE, 23 August 1852.
8. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The notice was also reported by GLOBE, 28 August 1852.
9. GLOBE, 28 August 1852.
10. MORNING CHRONICLE, 21 August 1852.
11. GLOBE, 28 August 1852.
12. MORNING CHRONICLE, 21 August 1852.
13. GLOBE, 28 August 1852.
14. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The following papers reported the notice in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, JOURNAL DE QUEBEC, 21 August 1852, and LE PAYS, 27 August 1852.
15. QUEBEC GAZETTE, 23 August 1852.
16. The following papers reported this notice of motion in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, JOURNAL DE QUEBEC, 21 August 1852, and LE PAYS, 27 August 1852.
17. QUEBEC GAZETTE, 23 August 1852.

18. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The notice was also reported by GLOBE, 28 August 1852.
19. GLOBE, 28 August 1852.
20. MORNING CHRONICLE, 21 August 1852.
21. GLOBE, 28 August 1852.
22. The following papers reported this notice of motion in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, JOURNAL DE QUEBEC, 21 August 1852, and LE PAYS, 27 August 1852.
23. QUEBEC GAZETTE, 23 August 1852.
24. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The following papers reported the notice in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, JOURNAL DE QUEBEC, 21 August 1852, and LE PAYS, 27 August 1852.
25. MORNING CHRONICLE, 21 August 1852.
26. QUEBEC GAZETTE, 23 August 1852.
27. MORNING CHRONICLE, 21 August 1852.
28. QUEBEC GAZETTE, 23 August 1852.
29. MORNING CHRONICLE, 21 August 1852.
30. QUEBEC GAZETTE, 23 August 1852.
31. MORNING CHRONICLE, 21 August 1852.
32. QUEBEC GAZETTE, 23 August 1852.
33. GLOBE, 28 August 1852.
34. IBID.
35. IBID.
36. The following papers reported this notice of motion in identical accounts: GLOBE, 28 August 1852, and JOURNAL DE QUEBEC, 26 August 1852.
37. GLOBE, 28 August 1852.
38. The following papers reported this notice of address in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The following papers reported the notice in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, JOURNAL DE QUEBEC, 21 August 1852, and LE PAYS, 27 August 1852.
39. QUEBEC GAZETTE, 23 August 1852.
40. GLOBE, 28 August 1852.
41. QUEBEC GAZETTE, 23 August 1852.
42. The following papers reported this notice of address in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, NIAGARA MAIL, 1 September 1852 (which copied from JOURNAL DE QUEBEC, 21 August 1852), JOURNAL DE QUEBEC, 21 August 1852 (which misdated its account as 24 August 1852), and LE PAYS, 27 August 1852.
43. NIAGARA MAIL, 1 September 1852.
44. The following papers reported this notice of address in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The notice was also reported by GLOBE, 28 August 1852.
45. GLOBE, 28 August 1852.
46. MORNING CHRONICLE, 21 August 1852.
47. GLOBE, 28 August 1852.
48. MORNING CHRONICLE, 21 August 1852.
49. GLOBE, 28 August 1852.
50. This notice of address was reported by: GLOBE, 28 August 1852; and JOURNAL DE QUEBEC, 24 August 1852.
51. GLOBE, 28 August 1852.

52. The following papers reported this notice of question in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The following papers reported the notice in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICAL, 23 August 1852, BRITISH COLONIST, 27 August 1852, NIAGARA MAIL, 1 September 1852 (which copied from JOURNAL DE QUEBEC, 21 August 1852), JOURNAL DE QUEBEC, 21 August 1852 (which misdated its account as 24 August 1852), and LE PAYS, 27 August 1852.
53. QUEBEC GAZETTE, 23 August 1852.
54. The following papers reported this notice of question in identical accounts: MORNING CHRONICLE, 21 August 1852, and HAMILTON GAZETTE, 26 August 1852. The following papers reported the notice in partially identical accounts: QUEBEC GAZETTE, 23 August 1852, MORNING CHRONICLE, 23 August 1852, BRITISH COLONIST, 27 August 1852, NIAGARA MAIL, 1 September 1852 (which copied from JOURNAL DE QUEBEC, 21 August 1852), JOURNAL DE QUEBEC, 21 August 1852 (which misdated its account as 23 August 1852), and LE PAYS, 27 August 1852.
55. MORNING CHRONICLE, 21 August 1852.
56. QUEBEC GAZETTE, 23 August 1852.
57. MORNING CHRONICLE, 21 August 1852.
58. QUEBEC GAZETTE, 23 August 1852.
59. NIAGARA MAIL, 1 September 1852.

MONDAY, 23 AUGUST 1852.¹

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CHARLES FRANCOIS FOURNIER, Esquire, Member for the County of L'Islet, having previously taken the Oath according to Law, and subscribed before the Commissioners the Roll containing the same, took his Seat in the House.

Mr. Speaker communicated to the House the following letter:--

Clerk's Office, Legislative Assembly,
Quebec, 23rd August, 1852.

Sir,--I have the honor, respectfully to submit the accompanying Letter which has been addressed to me by George B. Faribault, Esquire, the Clerk Assistant of the Assembly, informing me that the state of his health will prevent him from attending to the duties of his office immediately upon the opening of the Session.

I therefore respectfully pray, that in order to facilitate the business of the House, I may be permitted, with your approbation, to appoint a Deputy Clerk Assistant to act during Mr. Faribault's temporary absence.

I have the honor to be, Sir,

Your most obedient and very humble Servant,

Wm. B. Lindsay,
Clerk Assembly.

To the Honorable

The Speaker of the Legislative Assembly.

Quebec, 20th August, 1852.

Sir,--I regret to be under the necessity of informing you, that the state of my health since my return from Europe, has been such that I find myself unable to attend the duties of my office immediately upon the opening of the Session.

I therefore beg that you would present my respectful apology to Mr. Speaker and the Honorable Members of the Legislative Assembly, relying on their indulgence

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for the present, and entertaining a hope that an improved state of health will speedily allow me to resume my duties at the table of their Honorable House.

I remain, Sir,

Your very obedient and humble Servant,

G.B. Faribault,
Clerk Assistant.

W.B. Lindsay, Esquire,

Clerk, Legislative Assembly.

Quebec, 20th August, 1852.

This is to certify that Mr. Faribault has been confined to his room with Rheumatism ever since his return from Europe, and in all probability will be confined for some time longer.

Jos. Morrin, M.D.

Mr. Speaker then acquainted the House, That the Clerk had, with his approbation, appointed Mr. William B. Lindsay, Junior, to act as Deputy Clerk Assistant during Mr. Faribault's temporary absence.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Cauchon,--The Petition of Joseph Cauchon, of the City of Quebec, Esquire, Member representing the County of Montmorency in this present Parliament.

By the Honorable Mr. Robinson,--Four Petitions of the Municipal Council of the County of Simcoe; the Petition of John Little and others, of the Townships of Mulmur and Torsoranto; and the Petition of Allan Macdonell and others, of the City of Toronto.

By the Honorable Mr. Morin,--Two Petitions of the Municipal Council of the County of Terrebonne; the Petition of the Reverend T.B. Pelletier and others, of the Parish of St. Louis de Terrebonne, proprietors of the College Masson; the

Petition of the Right Reverend the Roman Catholic Bishop of Montreal and others, Members of the Corporation of the College of Ste. Thérèse de Blainville; and four Petitions of the Municipal Council of the United Counties of Lanark and Renfrew.

By Mr. Taché,--The Petition of the Municipal Council of the County of Rimouski, Number one.

By Mr. Fergusson,--The Petition of the Municipality of the Township of Guelph.

By Mr. Egan,--The Petition of Sister E. Bruyère and others, Nuns, on behalf of the Communauté des Révérendes Soeurs de la Charité at Bytown; the Petition of the Reverend P. Aubert and others, Priests, residing on the Ottawa; the Petition of Joseph Aumond, Esquire, and others, of the County of Ottawa; and the Petition of Peter Aylen and others, of the District of Ottawa.

By Sir Allan N. MacNab,--The Petition of William P. McLaren and others; the Petition of Edmund Ritchie and others; and the Petition of Isaac Buchanan, Esquire, and others.

By Mr. Burnham,--The Petition of Robert McKee and others, of the sixth Concession of the Township of Hamilton, County of Northumberland; and two Petitions of the Municipal Council of the United Counties of Northumberland and Durham.

By Mr. Gamble,--Three Petitions of the Municipal Council of the United Counties of York, Ontario, and Peel.

By Mr. Brown,--Two Petitions of Thomas Wightman, Moderator, and others, on behalf of the Synod of the Presbyterian Church in Canada; and the Petition of the Reverend William Jones and others, of the Township of Farnham.

By Mr. Street,--The Petition of James Hamilton and others, Trustees of the late Peter H. Hamilton, Esquire, of the City of Hamilton.

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By the Honorable Mr. Chabot,--The Petition of the Reverend J.D. Deziel and others, Priests.

By Mr. Mongenais,--The Petition of M. Baret and others, Censitaires of the Seigniorship of Ste. Magdeleine de Rigaud, County of Vaudreuil.

By the Honorable Mr. LaTerrière,--The Petition of Frederic Tremblay, of the Parish of St. Irenée, County of Saguenay.

By the Honorable Mr. Merritt,--The Petition of William Atkinson and others, Officers of the St. Catharines Mechanics' Institute; and the Petition of the Reverend George Willson, Moderator, and the Reverend J.E. Ryerson, Clerk, of the Eastern Baptist Association.

By the Honorable Mr. Attorney General Drummond,--The Petition of Richard Hutchinson and others, Members of the Second Advent Conference.

By Mr. Terrill,--The Petition of Anson Beebe and others, of the Valley of the Magog, in the Eastern Townships of Lower Canada.

By Mr. Hartman,--The Petition of J.O. Bouchier and others, of the Township of Georgina, County of Ontario; and the Petition of J.O. Bouchier and others, Reeves and Deputy Reeves of the Townships in the United Counties of York, Ontario, and Peel.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Municipal Council of the County of Carleton; praying for the construction of a Canal of dimensions similar to the St. Lawrence Canals, to connect the waters of the River St. Lawrence with Lake Champlain.

Of the Municipal Council of the County of Carleton; praying that a Government Loan of Seventy-five thousand pounds may be made to the Bytown and Prescott Railway Company, to aid in the completion of the said Railway.

Of the Municipal Council of the County of Carleton; praying for the passing of an Act to enable the Township of Torbolton to remain and continue a separate Corporation.

Of the Municipal Council of the County of Carleton; praying for a reduction of the impost duty on Red Pine Timber.

Of the Municipal Council of the County of Carleton; praying that the Jurors' Acts, 13 & 14 Vic. cap. 55, and 14 & 15 Vic. cap. 65, may be revised and amended.

Of the President and Directors of the County of Carleton General Protestant Hospital; praying aid in behalf of the said Institution.

Of the Company of proprietors of the Champlain and St. Lawrence Railroad; praying for the passing of an Act to increase the Capital Stock and extend the powers of the said Company.

Of R.H.J.B. McCurmin, Esquire, Seigneur, and others, inhabitants of the Seignior of Grande Vallée des Monts, District of Gaspé; praying for aid to construct a Road from Matane to Cap Chat, and to extend the said Road along the coast to the said Seignior.

Of L. Roy, Esquire, and others, of the Parishes of Ste. Anne des Monts and Cap Chat; praying for aid to open and construct a Road from Matane to Cap Chat, or the adoption of such measures as may afford them relief in their present isolated position.

MR. INSP. GEN. HINCKS² brought up a report of the Special Committee on Standing Committees, and moved the immediate adoption of the report.³

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The Honorable Mr. Hincks, from the Select Committee appointed to prepare and report Lists of Members to compose the eight Select Standing Committees ordered by this House, reported that they had prepared Lists of Members accordingly; and the same were read, as follow:--

1. On Privileges and Elections:--The Honorable Mr. Attorney General Richards, the Honorable Mr. Papineau, the Honorable Mr. Viger, the Honorable Mr. Badgley,

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the Honorable Mr. Chabot, Mr. Mackenzie, Mr. Smith of Frontenac, Mr. Polette, and Mr. Fergusson.

2. On Expiring Laws:--The Honorable Mr. Solicitor General Chauveau, Mr. Boulton, Mr. Short, Mr. Sanborn, Mr. Lyon, Mr. Laurin, Mr. White, Mr. Clapham, Mr. LeBoutillier, Mr. Shaw, and Mr. Tessier.

3. On Railroads, Canals, and Telegraph Lines:--Sir Allan N. MacNab, the Honorable Mr. Hincks, the Honorable Mr. Young, the Honorable Mr. Macdonald, Mr. Cartier, the Honorable Mr. Robinson, Mr. Cauchon, Mr. Smith of Durham, Mr. Egan, Mr. Johnson, Mr. Taché, Mr. Stuart, Mr. Crawford, Mr. Sicotte, and Mr. Christie of Wentworth.

4. On Miscellaneous Private Bills:--The Honorable Mr. Chabot, the Honorable Mr. Merritt, Mr. Prince, Mr. Turcotte, Mr. Lacoste, Mr. Dixon, Mr. Malloch, Mr. Rose, and Mr. Marchildon.

5. On Standing Orders:--The Honorable Mr. LaTerrière, Mr. Murney, Mr. LeBlanc, Mr. Lemieux, Mr. Willson, Mr. McDonald of Cornwall, Mr. McLachlin, Mr. Gouin, and Mr. Hartman.

6. On Printing:--Mr. Stevenson, Mr. Fortier, Mr. Dumoulin, Mr. Burnham, Mr. Terrill, Mr. McDougall, Mr. Langton, Mr. Patrick, and Mr. Mackenzie.

7. On Contingencies:--Mr. Seymour, Mr. Dubord, Mr. Paige, Mr. Gamble, Mr. Valois, Mr. Brown, Mr. Jobin, Mr. Chapais, Mr. Mackenzie, Mr. Wright of the East Riding of York, and Mr. Fournier.

8. On the Public Accounts:--Mr. Christie of Gaspé, Mr. Ridout, Mr. Street, Mr. Mattice, Mr. Egan, Mr. Wright of the West Riding of York, Mr. Varin, Mr. Poulin, and Mr. Mongenais.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being proposed, That this House doth concur with the Select Committee in the said Report, in so far as it relates to the Select Standing Committee on Railroads, Canals, and Telegraph Lines;

MR. MACKENZIE took a very strong exception to⁴ the hasty passage of this report, for no one would know whether he ought, or ought not, to vote for any form of these committees.⁵

Other members spoke on the question, and much feeling was exhibited.⁶

MR. INSP. GEN. HINCKS said he had no objection to delay, and that his object for moving the immediate adoption of the report, was to afford the Railroad Committee an opportunity to examine an important witness who could not be examined after to-morrow.⁷

MR. H. SMITH said he hoped the report would be carried, though he thought a better mode of appointing these committees would be by ballot.⁸

MR. MERRITT thought so too. At present these committees were really appointed, not by the House but by the government, and they were accordingly appointed to serve a purpose, and the best qualified man often omitted, as the member for Simcoe was last year in the railroad committee.⁹ [He] supported the ballot and condemned the present system.¹⁰

MR. CAUCHON supported the Government¹¹ [and] thought the government had only done what all other governments had done in appointing these committees, which everybody knew were all put on the lists before the Special committee for appointing them was named. Let the report be adopted now; but let the practice, if bad, be changed for the future.¹²

MR. MACKENZIE showed from the practice of the House last year, under the leading of Mr. Baldwin, that it was customary to give time before adopting these reports for appointing committees. When such large sums were to be spent under the direction of the Railway Committee, the House ought certainly to have some voice in their appointment. Formerly the House named these Committees, and it was not till he returned to Canada, that he ever heard of such a mode of appointment as that now attempted to be pursued. Besides he particularly objected to the proposed President, Sir A. MacNab, because last session he had refused to give information as to the proprietors of the Great Western Railway.¹³

MR. BROWN took particular exception to the composition of the Railroad Committee, and¹⁴ thought the committee which it was proposed to appoint, was the very one which the House should hesitate to appoint. There were eight names in the Railway Committee from Upper Canada, but every one of them were members [sic] interested in the counties on the front, and on the line chalked out by the government. He went over several counties to show that though greatly interested in the Railway question, they had no representatives on the Railway Committee.¹⁵

MR. MURNEY hoped the Inspector General would press his motion. When the special committee was appointed, yesterday, was the time for this objection to be made; but the House had appointed that special committee, and now ought to adopt the report, for they were all responsible for the course already adopted.¹⁶

Some remarks [came] from other members.¹⁷

MR. BOULTON did not see that any thing was done yesterday that obliged the House to accept the nominations of the Select Committee. He moved¹⁸ an amendment¹⁹ that the report be not accepted but that the²⁰ standing committee be immediately ballotted for.²¹

MR. INSP. GEN. HINCKS defended the Government and the report of the Committee.²² [He] said that as to dictation, there had only been one member of the government on the committee for selection; but it was absurd under our system to suppose, that because a gentleman supported the Government, he was disqualified from sitting on these committees. Every member in the House had been put on some committee or

other, and the greatest pains had been taken to keep on the committees men of experience by appointing the same as last year. Now as to sectional interests, he contended that they were fairly represented. The hon. member for Simcoe was not a representative of a front interest; nor was the member for Wentworth a representative of interests common with those represented by the member for Hamilton. There was what was called a back interest about Peterboro; but the head and front of those interested in that neighbourhood was on the committee. He meant the member for Kingston. He then went over the list, and contended that without making the committee much larger, it would have been impossible to distribute them more fairly. He then referred to the Committee of Public Accounts--Messrs. Christie, Street, Ridout, and Mattice,--and asked whether he would have named such men, if he wanted to do wrong. The member for Haldimand (Mr. McKenzie) was the only man in the House who was on three committees, and he ought to be satisfied with that.²³

MR. MACKENZIE replied, defying Mr. Morin to show that such speed had ever been shown in appointing committees. He held the example of the immortal Messrs. Baldwin, and Lafontaine in his hand, who rested from their labours, but their works do follow them. He then read from the journals to show that a delay of a day had always been interposed between the report of the committee of selectors and its adoption. He then desired to know who this wonderful man was, and what interest he had in the railroads--the witness who must be examined the next day or else not at all. Last year there was no trouble taken to examine any one relative to the Quebec and Halifax Railway and the £4,000,000 to be spent there. Then the whole thing was dictated by the ministry--and the effect was well known. The rules of the House would soon be despised, if its practice were thus slighted.²⁴

MR. RIDOUT thought the Special Committee of nomination better qualified than himself to name suitable Committees, and he must therefore reluctantly vote against his colleague. But he would like delay, to see who were to be appointed; for except for the Committees of Railroads and Public Accounts, he did not know what gentlemen were on any of the Committees, because at the end of the room where he sat, they could not hear what took place near the Chair. If necessary, however, he would go on with the Railroad Committee and postpone the rest.²⁵

MR. ROSE supported the motion.²⁶

MR. GAMBLE agreed with the hon. member for Lincoln, contending that the appointment as made at present might just as well be in the hands of the Inspector General; and that it was most unjust, considering the great interest of the County of York in Railroads, that not one member for that county was on the Committee. He was astonished at the reason given by the member for Toronto for voting for this proposal. If the hon. member for Toronto did not know the members of the House, it was his business to know them. He hoped the hon. member for Haldimand would be on. He had shown his independence, and that he was not to be bribed by being put on three committees.²⁷

MR. CRAWFORD declared that there had been no dictation on the part of the Inspector General, in the appointment of the Committees. That Hon. Member had given way on several appointments when changes had been urged. As the Hon. Member who last spoke had complained of York not being represented, he, (Mr. C.) would reply that there were already four Railways centering in Toronto, and therefore he ought to be well satisfied with what he had got.²⁸

MR. DIXON said the present practice--what-ever had been the past practice--he entirely disapproved of. It was said, you voted for the special Committee of Selection yesterday. He replied that at the end of the room where he sat, members were in perfect ignorance of what was done near the chair. If something were not done to remedy this inconvenience, members might as well go home.²⁹

MR. STREET could not see why members could not obtain by open vote what the amendment sought to obtain by ballot. For his own part, when he voted for the special committees, he knew well what he was doing, and therefore the principle of the appointment was one to which the House had agreed, and the only proper course now to obtain alterations, was by moving amendments to the report. At this same time, viewing the vast importance of these committees, and especially of the Railway Committees, he thought their appointments ought to lie over till members could confer with each other upon the subject.³⁰

MR. LANGTON thought the country fairly represented by the Railway Committee, and was ready to vote at once for it.³¹

SIR A. MACNAB disagreed entirely from the idea that a committee of this kind could be better appointed by ballot than by the present course. It was not the practice in England to appoint by ballot any but election committees. Now, what would be the consequence of vote by ballot in this case, why ... that gentlemen opposite would get their friends to give them a majority such as would naturally occur, when the opposition had twenty three votes and the government all the rest. He did not care, for his own part, when the report was adopted; but he understood there were gentlemen from England, who wished to take the railway contracts, and he wanted to hear what they had to say. After taunting Mr. Mackenzie for his long stories and his vacillating support of different parties, the hon. member declared the very best selection in the power of the committee had been made--just as had been done on former occasions, when the member for Lincoln being in the government approved of the course that was taken.³²

MR. MERRITT was in favor of the ballot.--He had experience before and since the union, and he hoped that hereafter it would be adopted. By the ballot, all members would vote as they pleased for those men they thought best adapted for the committees, whereas an open vote would certainly be decided for the Government candidates. Last year the railway committee was packed by the Government, and his knowledge of this had made him determine to vote against such a mode of appointment for the future. In 1847, he (Mr. Merritt) had been chairman of the railway committee, and that committee had determined to recommend what was now about to be recommended. What had been the consequence? That he had been carefully excluded from the railway committee ever since.³³

MR. PROV. SEC. MORIN protested against the idea which seemed generally spread abroad, that the Government was unjust and their friends not independent. In his experience of ten years, the best committees were those appointed in the mode now followed.³⁴

The amendment was then withdrawn.³⁵

MR. INSP. GEN. HINCKS declared that if the railway committee for last year were packed, the members for Hamilton and Kingston were among those packed committee men; and yet those gentlemen voted against the Government proposition for the great trunk railway.³⁶ [He] denied that the Railroad Committee was a sectional one³⁷ [and] he again went over the list of members of the committee, with the intention of showing that³⁸ the interests of the whole country³⁹ were fairly represented. He must remark, as a matter of justice, that he knew of no gentleman who wanted to go before the committee; but there was a gentleman about to go out of town whom many gentlemen desired to hear. He then withdrew his first motion, and moved the concurrence of the House in the report of the committee of selection in relation to the railway committee.⁴⁰

MR. BROWN again said he desired to have only a fair committee, but he did not think it was so. There was the Beattie Railway, to the south of the Great Western, and in some measure competing with it; yet there were no members from that part of

the country on the committee of the whole, there were members from Hamilton, London, and Wentworth, all on the same Great Western Line and within a short distance of each other. In the same way, the projected road from Toronto to Guelph or Sarnia, or Saugeen, had no advocates on the committee. The Inspector General proposed an invidious thing when he proposed to move to strike out the names of any gentlemen; no one would desire to assume that responsibility; at the same time, he would say he did think that some member for the county of York should be placed on the committee, and that as there were to be two canals brought before the House, Mr. Merritt had done enough for his county in that line to merit a place upon it.⁴¹

MR. BOULTON, in reply to Sir A. MacNab, pointed out that so far from the ballot giving the power of appointment to the government, the appointment rested in fact with the whole house, because any five members having a common interest, could thus secure a representative, by uniting among themselves, on any committee of fifteen.⁴²

Another appeal [came] from MR. STREET for delay.⁴³

MR. INSP. GEN. HINCKS replied that his determination to proceed did not arise from personal reasons, but from the fact that numerous members on both sides of the House desired to go on for the reasons he had stated.⁴⁴

MR. MACKENZIE again pointed out the injustice, as he considered it, of appointing the representative of the little town of Brockville on the committee, while Montreal and Quebec had no member on it; and 70,000 people in London, Elgin and Essex, and other larger western constituencies, were unrepresented.--He went on at length to condemn the composition of the railway committee.⁴⁵

MR. EGAN, in reply to the first speaker, said that there did not exist so much sectional jealousy on the part of members from Lower Canada, as on that of members from Upper Canada; and he hoped that, if Upper Canada members persisted in manifesting such a spirit, those from Lower Canada would unite to see that injustice was not done to them. He expressed his opinion in favor of a back railroad, which he believed would be the best for developing the interests of the country.⁴⁶

MR. CRAWFORD, of Brockville, did not think that because he represented what the hon. member was pleased to call a little town, that he should be unfitted to be a member of the railway committee. He had not the modesty to say that he did not understand the practical working of railroads--for he had had twenty years experience, and he believed he understood the practical working of railroads better than, or at least as well, as any other man on the committee. He besides represented the interests of several Haldimand counties in the trunk railway. He had no objection that the hon. member for Haldimand should make a motion to have his (Mr. C's) name struck off the committee.⁴⁷

MR. PRES. EX. COUN. CAMERON condemned the principle of voting by ballot, for the railway committee. He considered it better that the votes should be taken openly. He went on to speak in review of the debate and approved of the committee proposed by the report, and he could see no reason for delay.⁴⁸

MR. ROSE had learned from history that the Provinces of Upper and Lower Canada were united, but the debate of that evening might lead him to suppose that there was a dissolution of the union; and this kind of argument he condemned. The question before the House was not a party one. He thought it better to come to a conclusion at once, for the reasons given by the Inspector General.⁴⁹

MR. DUBORD (in French), did not think there was a sufficient number who came from between Montreal and Quebec, on the committee in view of the proposition to

build the north shore railroad. No member from the district of Three Rivers was on the committee, and the district of Quebec was very inadequately represented, as Mr. Stuart's name only appeared from that district. The hon. member went on to complain that other portions of Lower Canada were not represented on the committee.⁵⁰

MR. INSP. GEN. HINCKS explained that members from all parts of the province could not be placed on a committee of fifteen. With respect to the north shore railroad, its interests were well represented in the committee, as three of the gentlemen proposed were in favour of it.⁵¹

Some remarks [came] from other gentlemen.⁵²

MR. BROWN moved an amendment, to the effect that Messrs. Merritt and Gamble be added to the committee. He explained that the object of his motion was to represent, in a better manner, western interests in the committee.⁵³

(10)

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "That" to the end of the Question be left out, and the words "the said Report be recommitted in order to add the names of the Honorable Mr. Merritt and Mr. Gamble to the List of the Select Standing Committee on Railroads, Canals, and Telegraph Lines" added instead thereof;

MR. MERRITT desired that his name should be withdrawn. He objected to expending so much money on rail roads, while the water communications of the Province were neglected. He believed that the policy of the government in this respect was a pernicious one.⁵⁴

(10)

And the Question being put on the Amendment; the House divided:--And it passed in the Negative.

And the Question being again proposed, That this House doth concur with the Select Committee in the said Report, in so far as it relates to the Select Standing Committee on Railroads, Canals, and Telegraph Lines;

MR. BROWN moved another amendment to the effect that the name of Mr. Merritt be substituted for that of Mr. Christie of Wentworth, and the name of Mr. Gamble for that of Mr. McDonald, of Kingston. He had no personal feeling in moving that amendment, but he believed the change he proposed would be more just to the western part of Upper Canada.⁵⁵

(10)

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "That" to the end of the Question be left out, and the words "the said Report be recommitted in order to leave out of the List of the Select Standing Committee on Railroads, Canals, and Telegraph Lines, the names of Mr. Christie of Wentworth, and of the Honorable Mr. Macdonald, and insert the names of the Honorable Mr. Merritt, and Mr. Gamble" instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton, Brown, Fergusson, Gamble, Ridout, and Street.--(6.)

NAYS.

Messieurs Burnham, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of GASPE, Christie of WENTWORTH, Clapham, Crawford,

(11)

Attorney General Drummond, Dubord, Dumoulin, Egan, Fortier, Fournier, Gouin,

Hartman, Hincks, Jobin, Langton, LaTerrière, Laurin, LeBoutillier, Lemieux, Lyon, McDonald of CORNWALL, Marchildon, Mackenzie, Sir A.N. MacNab, Malloch, Mattice, McLachlin, Merritt, Mongenais, Morin, Murney, Paige, Patrick, Polette, Poulin, Attorney General Richards, Robinson, Rolph, Rose, Seymour, Shaw, Sicotte, Smith of FRONTENAC, Stevenson, Stuart, Taché, Terrill, Tessier, Valois, Varin, Viger, White, Willson, Wright of East Riding of York, and Wright of West Riding of York.--(62.)

So it passed in the Negative.

Then the main Question being put:--It was resolved in the Affirmative.

A motion of MR. INSP. GEN. HINCKS, that the farther consideration of the report be postponed until to-morrow was carried.⁵⁶

(11)

Ordered, That the further consideration of the said Report be postponed until To-morrow.

Then, on motion of Mr. Christie of Gaspé, seconded by Mr. Crawford,
The House adjourned.

APPENDIX: 23 AUGUST 1852.

[NOTICE OF MOTION RE: OBSERVANCE OF THE SABBATH AND SALE OF INTOXICATING LIQUORS.]⁵⁷

MR. BROWN [gave notice of a motion for] bills to secure the observance of the Sabbath, and prevent the sale of intoxicating liquors⁵⁸.

[NOTICE OF MOTION RE: TAXES IMPOSED BY WESTERN DISTRICT COUNCIL.]

MR. BROWN gave notice that on Monday, 13th September, he will introduce a bill to remove all doubts as to the validity of certain By-laws of the late Western District Council imposing Taxes on the said Western District.⁵⁹

[NOTICE OF MOTION RE: MODIFICATION OF THE USURY LAWS.]

MR. BROWN gave notice that on Monday next, he will introduce a bill to modify the Usury Laws now in force in this Province.⁶⁰

[NOTICE OF MOTION RE: ACT TO INCORPORATE ECCLESIASTICAL BODIES.]⁶¹

MR. BROWN gave notice that on Monday, 20th September, he will introduce a general Act of Incorporation for all Ecclesiastical Bodies in this Province, and providing against the accumulation of Real Estate in the hands of Ecclesiastical Corporations.⁶²

[NOTICE OF MOTION RE: RECOVERY OF DEBTS FROM INCORPORATED COMPANIES.]⁶³

MR. BROWN gave notice that on Monday, 6th September, he will introduce a bill to facilitate the recovery of just Debts due by Incorporated Companies.⁶⁴

[NOTICE OF MOTION RE: TARIFF EXEMPTION FOR CERTAIN WEST INDIAN PRODUCTS.]⁶⁵

MR. BROWN gave notice that on Monday next he will introduce a bill providing for the free admission into Canada of certain articles, the growth or produce⁶⁶ from ... colonies⁶⁷ of the British West Indies Islands, on certain conditions.⁶⁸

[NOTICE OF MOTION RE: CORRESPONDENCE BETWEEN DR. DOUGLAS AND GOVERNMENT RELATIVE TO THE MARINE HOSPITAL.]⁶⁹

MR. CAUCHON gave notice of a motion for⁷⁰ [a return of] all correspondence that had passed between the Government and Dr. James Douglas, in reference to the Marine Hospital of this city.⁷¹

[NOTICE OF MOTION RE: AMENDMENTS TO THE ACT OF INCORPORATION OF THE BAR OF LOWER CANADA.]⁷²

MR. CAUCHON gave notice of a bill to amend the Act of Incorporation of the Bar of Lower Canada.⁷³

[NOTICE OF MOTION RE: SETTLEMENT OF TOWNSHIP LANDS.]⁷⁴

DR. FORTIER gave notice that on Wednesday he will move for a Committee to inquire into the causes which obstruct the settlement of the Townships of Lower Canada.⁷⁵

[NOTICE OF MOTION RE: MEASUREMENT OF TIMBER IN PORT OF QUEBEC.]⁷⁶

MR. LAURIN ... gave notice of a bill relative to the measuring of wood in the port of Quebec.⁷⁷

[NOTICE OF MOTION RE: AMENDMENTS TO USURY LAWS.]

MR. G. WRIGHT (West York) gave notice of a Bill to alter and amend the Usury Laws.⁷⁸

[NOTICE OF MOTION RE: BILL TO AMEND MUNICIPAL ACT OF UPPER CANADA.]⁷⁹

MR. STEVENSON gave notice that on Wednesday he will introduce a bill to supply an omission in Schedule B. of the Act to amend the Upper Canada Municipal Corporation Laws Amendment Act of 1850.⁸⁰

[NOTICE OF MOTION RE: BILL TO AMEND THE INDEPENDENCE OF PARLIAMENT ACT.]⁸¹

MR. CAUCHON donne avis que mercredi prochain, il demandera la permission d'introduire un bill pour étendre les dispositions de l'acte pour mieux assurer l'indépendance de l'assemblée législative de cette province.⁸²

[NOTICE OF MOTION RE: BILL TO AMEND THE INDEPENDENCE OF PARLIAMENT ACT.]⁸³

MR. H. SMITH (Frontenac) gave notice of a Bill⁸⁴ intitulé, "Acte pour amender l'acte pour mieux assurer l'indépendance de l'assemblée législative de cette province."⁸⁵

[NOTICE OF MOTION RE: AGRICULTURE IN LOWER CANADA.]

MR. REC. GEN. TACHE gave notice of a motion for a Select Committee to inquire into the state of Agriculture in Lower Canada.⁸⁶

[NOTICE OF MOTION RE: FISHING INDUSTRY.]

MR. CHRISTIE gave notice that on Tuesday next, he will move for a Committee to inquire into the state of the Fisheries in the Gulf of the St. Lawrence and on the coast of Labrador, and the best means of promoting this important branch of the national industry.⁸⁷

[NOTICE OF MOTION RE: WHARVES ON THE ST. LAWRENCE.]⁸⁸

DR. LATERRIERE gave notice of a motion for a⁸⁹ special⁹⁰ Committee to inquire whether the wharves now being erected by Government on the North and South banks of the St. Lawrence below Quebec, are sufficiently strong to resist the action of the ice and currents.⁹¹

[NOTICE OF MOTION RE: ABOLITION OF PROPERTY QUALIFICATION FOR MEMBERS OF THE ASSEMBLY.]⁹²

MR. BROWN donne avis d'un bill pour faire disparaître la qualification requise des membres de l'assemblée législative.⁹³

[NOTICE OF ADDRESS RE: WITHDRAWAL OF GRANT FROM HUDSON'S BAY COMPANY.]⁹⁴

MR. BROWN gave notice that on Monday, 27th September, he will move for an humble address to the Queen, praying Her Majesty to recall the grant of Vancouver's Island to the Hudson's Bay Company, at the end of five years from 13th January 1849, by virtue of the power retained in the Charter, also, that the Royal License of Trade over "the Indian Territories" granted to the said Company under the Act 1 and 2 George IV. chap. 66, may not be renewed; and that the whole of the Territory now held by the said Hudson's Bay Company, may be annexed to the Province of Canada.⁹⁵

[NOTICE OF ADDRESS RE: WILLIAM JACKSON.]⁹⁶

MR. BROWN gave notice that on Wednesday next he will move for an address to the Governor General, praying for a copy of any agreement entered into by the Quebec and Richmond Railway Company, with Wm. Jackson, Esq. M.P. and others for the construction of the said Railway. Also, for a copy of any agreement entered into by the Government with the said Wm. Jackson, Esq. and others in regard to the Trunk Railroad through the Province.⁹⁷

[NOTICE OF ADDRESS RE: DISTRIBUTION OF WAR MEDALS.]

MR. MERRITT gave notice that on Wednesday, 1st September, he will move for an address to the Queen, praying for the distribution of medals to the survivors of the campaigns of 1812--'13 and '14.⁹⁸

[NOTICE OF ADDRESS RE: FINANCIAL STATEMENT OF PUBLIC WORKS.]

MR. MERRITT gave notice of an Address for full statements as to the cost, revenue and estimated value of the Public Works of this Province.⁹⁹

[NOTICE OF QUESTION RE: GAOLS AND ASYLUMS.]¹⁰⁰

MR. BROWN gave notice that on Wednesday, 6th inst., he will inquire of the Administration whether it is their intention to introduce a bill during this Session for the better regulation and inspection of the Gaols of this Province; also to establish Institutions for the reformation of Juvenile Offenders, or for the Education of the Blind, Dumb, and Idiotic.¹⁰¹

[NOTICE OF QUESTION RE: NORMAL SCHOOL ACT.]¹⁰²

MR. BROWN gave notice that on Wednesday, next he will inquire of the Administration what steps have been taken to carry into effect the act of last session for the establishment of a Normal School in Lower Canada.¹⁰³

[NOTICE OF QUESTION RE: ABOLITION OF SEPARATE SCHOOLS.]¹⁰⁴

MR. BROWN gave notice that on Wednesday first, he will inquire of the Administration whether it is the intention of Government to introduce a measure during the present Session for the abolition of Separate or Sectarian Schools in Upper Canada.¹⁰⁵

[NOTICE OF QUESTION RE: RECTORIES IN UPPER CANADA.]¹⁰⁶

MR. BROWN gave notice that on Wednesday next, he will inquire of the Administration what steps have been taken to carry into effect the address of last session praying His Excellency to bring to legal adjudication the validity of the 57 Rectories established by Sir John Colborne; and whether it is the intention of the Government to proceed with the said legal process or to abolish the Rectories by legislative enactment.¹⁰⁷

[NOTICE OF QUESTION RE: PROPERTY QUALIFICATION.]¹⁰⁸

MR. ROSE gave notice that on Friday next, he will inquire of the Administration if it is their intention to take measures, this Session, for procuring the repeal of that portion of the Union Act which renders necessary a Property Qualification for the members of the House of Assembly.¹⁰⁹

[CONVERSATION RE: HURON ELECTION DURING THE RECESS.]

SIR A. MACNAB called the attention of Mr. Speaker to the fact that it was his duty to report to the House any elections which had taken place during the recess,

to fill seats vacated by members of this House.¹¹⁰

MR. J.S. MACDONALD the SPEAKER said he had looked into the question, and he found that it was only his duty to report in cases where the Speaker had issued his writ for a new election--not in the case of an election ordered by the ... [Clerk of the Crown in Chancery].¹¹¹

FOOTNOTES: 23 AUGUST 1852.

1. GLOBE, 28 August 1852, noted that "the House met today at the usual hour of three o'clock; but private business occupied the members until four o'clock, when the doors were thrown open." The paper added that "a communication was received from the secretary of the Quebec news-room, inviting the members to make use of the room during the sitting of Parliament."
2. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 24 August 1852, GLOBE, 24 August 1852, HAMILTON SPECTATOR DAILY, 24 August 1852, MONTREAL GAZETTE, 24 August 1852, PILOT, 24 August 1852, BRITISH WHIG, 24 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, NORTH AMERICAN, 26 August 1852, BRITISH COLONIST, 27 August 1852, OTTAWA CITIZEN, 28 August 1852, and LE PAYS, 25 August 1852; HAMILTON SPECTATOR DAILY, 25 August 1852, BRITISH WHIG, 25 August 1852, GLOBE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, and NIAGARA MAIL, 1 September 1852 (which copied from JOURNAL DE QUEBEC of unknown date). The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), NORTH AMERICAN SEMI-WEEKLY, 31 August 1852, BRITISH COLONIST, 31 August 1852, HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE), NIAGARA MAIL, 1 September 1852, EXAMINER, 1 September 1852, and NORTH AMERICAN, 2 September 1852. A commentary appeared in LA MINERVE, 26 August 1852.
3. BRITISH COLONIST, 24 August 1852.
4. IBID.
5. QUEBEC GAZETTE, 25 August 1852.
6. BRITISH COLONIST, 24 August 1852.
7. IBID.
8. QUEBEC GAZETTE, 25 August 1852.
9. IBID.
10. BRITISH COLONIST, 24 August 1852.
11. IBID.
12. QUEBEC GAZETTE, 25 August 1852.
13. IBID.
14. BRITISH COLONIST, 24 August 1852.
15. QUEBEC GAZETTE, 25 August 1852.
16. IBID.
17. BRITISH COLONIST, 24 August 1852.
18. QUEBEC GAZETTE, 25 August 1852.
19. BRITISH COLONIST, 24 August 1852.
20. QUEBEC GAZETTE, 25 August 1852.
21. BRITISH COLONIST, 24 August 1852.
22. IBID.
23. QUEBEC GAZETTE, 25 August 1852.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.

35. IBID.
36. IBID.
37. BRITISH COLONIST, 24 August 1852.
38. QUEBEC GAZETTE, 25 August 1852.
39. BRITISH COLONIST, 24 August 1852.
40. QUEBEC GAZETTE, 25 August 1852.
41. IBID.
42. IBID.
43. IBID.
44. IBID.
45. IBID.
46. IBID.
47. IBID.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. IBID.
56. IBID.
57. The following papers reported this notice of motion in identical accounts: BRITISH COLONIST, 24 August 1852, GLOBE, 24 August 1852, HAMILTON SPECTATOR DAILY, 24 August 1852, MONTREAL GAZETTE, 24 August 1852, PILOT, 24 August 1852, BRITISH WHIG, 24 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, NORTH AMERICAN, 26 August 1852, BRITISH COLONIST, 27 August 1852, OTTAWA CITIZEN, 28 August 1852, and LE PAYS, 25 August 1852; MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE).
58. MORNING CHRONICLE, 24 August 1852.
59. GLOBE, 28 August 1852.
60. IBID.
61. The following papers reported this notice of motion in identical accounts: BRITISH COLONIST, 24 August 1852, GLOBE, 24 August 1852, HAMILTON SPECTATOR DAILY, 24 August 1852, MONTREAL GAZETTE, 24 August 1852, PILOT, 24 August 1852, BRITISH WHIG, 24 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, NORTH AMERICAN, 26 August 1852, BRITISH COLONIST, 27 August 1852, OTTAWA CITIZEN, 28 August 1852, and LE PAYS, 25 August 1852; MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.
62. GLOBE, 28 August 1852.
63. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MONTREAL CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.
64. GLOBE, 28 August 1852.
65. The following papers reported this notice of motion in identical accounts:

- MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE).
66. GLOBE, 28 August 1852.
 67. MORNING CHRONICLE, 24 August 1852.
 68. GLOBE, 28 August 1852.
 69. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 28 August 1852 (which copied from MORNING CHRONICLE). The notice was also reported by QUEBEC GAZETTE, 23 August 1852.
 70. MORNING CHRONICLE, 24 August 1852.
 71. QUEBEC GAZETTE, 23 August 1852.
 72. This notice of motion was reported by: GLOBE, 28 August 1852; and JOURNAL DE QUEBEC, 24 August 1852.
 73. GLOBE, 28 August 1852.
 74. This notice of motion for Committee was reported by GLOBE, 28 August 1852. The following papers noted in error that Mr. Fortier gave notice of an Address: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE).
 75. GLOBE, 28 August 1852.
 76. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE).
 77. MORNING CHRONICLE, 24 August 1852.
 78. GLOBE, 28 August 1852.
 79. This notice of motion was reported by GLOBE, 28 August 1852. The following papers noted the notice in identical accounts: BRITISH COLONIST, 24, 27 August 1852, GLOBE, 24 August 1852, HAMILTON SPECTATOR DAILY, 24 August 1852, MONTREAL GAZETTE, 24, 26 August 1852, PILOT, 24 August 1852, MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, NORTH AMERICAN, 26 August 1852, OTTAWA CITIZEN, 28 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE), and LE PAYS, 25 August 1852.
 80. GLOBE, 28 August 1852.
 81. The following papers reported this notice of motion in identical accounts: BRITISH COLONIST, 24 August 1852, GLOBE, 24 August 1852, HAMILTON SPECTATOR DAILY, 24 August 1852, MONTREAL GAZETTE, 24 August 1852, PILOT, 24 August 1852, BRITISH WHIG, 24 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, NORTH AMERICAN, 26 August 1852, and LE PAYS, 25 August 1852; MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by: GLOBE, 28 August 1852; and JOURNAL DE QUEBEC, 24 August 1852.
 82. JOURNAL DE QUEBEC, 24 August 1852.
 83. This notice of motion was reported by: GLOBE, 28 August 1852; and JOURNAL DE QUEBEC, 24 August 1852.

84. GLOBE, 28 August 1852.
85. JOURNAL DE QUEBEC, 24 August 1852.
86. GLOBE, 28 August 1852.
87. IBID.
88. This notice of motion was reported by: GLOBE, 28 August 1852; and JOURNAL DE QUEBEC, 24 August 1852.
89. GLOBE, 28 August 1852.
90. JOURNAL DE QUEBEC, 24 August 1852.
91. GLOBE, 28 August 1852.
92. This notice of motion was reported by: JOURNAL DE QUEBEC, 24 August 1852; and L'AVENIR, 25 August 1852.
93. JOURNAL DE QUEBEC, 24 August 1852.
94. The following papers reported this notice of address in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.
95. GLOBE, 28 August 1852.
96. The following papers reported this notice of address in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.
97. GLOBE, 28 August 1852.
98. IBID.
99. IBID.
100. The following papers reported this notice of question in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.
101. GLOBE, 28 August 1852.
102. The following papers reported this notice of question in identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.
103. GLOBE, 28 August 1852.
104. This notice of question was reported by GLOBE, 28 August 1852. The following papers reported the notice in identical accounts, noting incorrectly that it was in reference to schools in Lower Canada: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE).
105. GLOBE, 28 August 1852.
106. The following papers reported this notice of question in identical accounts: BRITISH COLONIST, 24, 27 August 1852, GLOBE, 24 August 1852, HAMILTON SPECTATOR DAILY, 24 August 1852, MONTREAL GAZETTE, 24 August 1852, PILOT, 24 August 1852, BRITISH WHIG, 24 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, NORTH AMERICAN, 26 August 1852, OTTAWA CITIZEN, 28 August 1852, and LE PAYS, 25 August 1852; MORNING CHRONICLE, 24

August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by GLOBE, 28 August 1852.

107. GLOBE, 28 August 1852.

108. The following papers reported this notice of question in partially identical accounts: MORNING CHRONICLE, 24 August 1852, QUEBEC GAZETTE, 25 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852 (which copied from MORNING CHRONICLE), NIAGARA MAIL, 1 September 1852, and HAMILTON SPECTATOR WEEKLY, 1 September 1852 (which copied from MORNING CHRONICLE). The notice was also reported by: QUEBEC GAZETTE, 23 August 1851; and GLOBE, 28 August 1852.

109. GLOBE, 28 August 1852.

110. IBID.

111. IBID.

TUESDAY, 24 AUGUST 1852.

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MR. SPEAKER communicated to the House, a Report of the Librarian of the Legislative Assembly on the state of the Joint Library of Parliament; which Report is as followeth:--

To the Honorable the Legislative Assembly of Canada.

The Librarian, on behalf of the Legislative Assembly, of the Joint Library of Parliament, begs leave respectfully to Report:--

That at the termination of the last Session of the Legislature, in the City of Toronto, on the thirtieth day of August, 1851, your Librarian received orders to close the Library, and pack the whole of the Books, in order to their being conveyed to Quebec, in a vessel chartered for that purpose by the Provincial Government.

That in pursuance of this order, your Librarian superintended the placing of the collection of the books and records of the Library in cases, for their transmission to this City, where they arrived safely early in the month of October of last year.

The new wing of the Parliament Building in which was the room appropriated for the reception of the books, not being prepared to receive them, W.B. Lindsay, Esquire, the Clerk of Your Honorable House, directed your Librarian to place them, pro tempore, in the Wardrobe of the east wing, where a fire being kept during the winter, they remained unopened, protected from the effects of humidity, or any other injury.

During the winter and spring of the past and present year, a room of noble proportions, handsomely decorated, and admirably adapted for a Library, was constructed by Mr. George Brown, the Architect of the Government, and was delivered to your Librarian for the reception of the collections of books under his charge on the 21st day of June last.

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The arrangement and classification of the books was immediately commenced, and continued until the whole were deposited in the several compartments appointed to receive them.

Your Librarian has much satisfaction in stating, that although the books had from necessity remained many months in the cases unopened, they were found upon examination free from injury by damp; and having been carefully packed, had sustained in their transport to Quebec no damage, but were in excellent condition.

The Library contained, previous to the purchases made in Europe during the past winter, about five thousand volumes, almost the whole of which were in the English language. These had been procured since the year 1849 by appropriations of money voted by Your Honorable House, and consisted principally of works on Legislation and Parliamentary Law; including a valuable donation of the Journals of the Lords and Commons of the Imperial Parliament, and the Sessional papers of the latter House.

At the close of the Session of Parliament in 1851,--G.B. Faribault, Esquire, the Clerk Assistant of Your Honorable House, was by a Resolution then passed, directed to proceed to Europe, on a Special mission for the purchase of Books for the Library, in the English and French languages. That Gentleman accordingly left Quebec, for the object of his mission, in the month of October last year, and returned to this City early in July. The acquisitions made by him have materially augmented the collection both in number and value, and Your Librarian feels it his duty to give his humble tribute of praise to the exertions of Mr. Faribault, and the very successful manner in which he has discharged the arduous duties of the mission with which he was honored by Your Honorable House. An afflicting bereavement, and painful disease, having rendered it necessary that Mr. Faribault

should obtain assistance towards the close of his operations, and G.W. Wicksteed, Esquire, the Law Clerk of Your Honorable House, being then in Europe, he was instructed by the Government to proceed to Paris for the purpose of aiding Mr. Faribault, both there and in London, in completing the labors of the mission; and it is due to the latter Gentleman to state, that by his valuable assistance the whole was brought to a satisfactory conclusion. It is the intention of Mr. Faribault, so soon as the state of his health will permit, to present to Your Honorable House a detailed Report of his mission; to which, therefore, reference can be hereafter made for more complete information on the subject.

The Donations of Books made by the several departments of the States in France, are of great value. They are handsomely, and in some instances magnificently bound--are chiefly works of history and scientific research, and the generous manner in which they have been presented to the Parliament of Canada, Your Librarian would take the liberty of saying, does great honor to the liberality of the French Nation. It is a gift worthy of a great people, and cannot fail to be highly appreciated by the inhabitants of this Country.

Mr. Faribault, furthermore, succeeded in procuring from the Admiralty Office at London, a magnificent set of Charts and Plans of the Gulf and River St. Lawrence, and other parts of the North American coast, together with copies of some scientific publications issued by the Admiralty for the use of Navigators. These are donations of great interest and value; and will be more fully described in the Library Catalogues.

In its present state the Library is composed of works in several European languages, principally however of French and English. Some six cases of Books are still to be received, amongst the contents of which are a complete set of the Records of Great Britain, published by the Record Commission, and presented by the Imperial Government; as also some further donations from the Government of France.

The collection of books, in its several classes, comprises works of the best Authors, and of the greatest utility in Civil, Constitutional, Parliamentary,

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English and International Law, also in Political Economy, Statistics, History, Science and Art, Geography, Belles-lettres and the Ancient Classics, forming the foundation of an extended Provincial Library which will prove of great value to the literature and progress of the Country in the Arts and Sciences.

Mr. Faribault has with much labor and research succeeded in procuring a numerous collection of rare works on the History of America generally, and of Canada in particular, which will in a great measure, if not wholly supply the loss of that which was unfortunately destroyed in the year 1849.

From the lateness of the period at which the new apartment for the Library was finished, and the time necessarily consumed in arranging and classifying the books therein, it has been impossible to prepare before the meeting of the Legislature, a full and classified catalogue of the collection, but such a perfect list of short titles has been compiled for distribution to both Houses of Parliament, as it is hoped will be found satisfactory for present use. The list of books in the class of the History of America has been separately made out, in alphabetical order, and will be found of easy reference.

Hereafter a more complete catalogue of the collection will be prepared by your Librarian, and with the authority of Your Honorable House, printed in such a number of copies for private and public circulation as in your wisdom may seem meet.

The whole of the Books in the Library at present, are in excellent condition, and the gross number of volumes is 12,150.

All of which is most humbly and respectfully submitted.

William Winder,
Librarian.

Library of Parliament,
19th August, 1852.

Mr. Speaker also laid before the House, the Accounts of the Trinity House of Quebec, for the year ending 31st December, 1851.

For the said Accounts, see Appendix (D.)

And also, a Statement of the real and personal Estate of the Mechanics' Institute of Toronto.

For the said Statement, see Appendix (E.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Cauchon,--The Petition of Jean Langevin, of the City of Quebec, Esquire; and the Petition of the Reverend P. deVillers and others, of the Townships of Arthabaska and Chester, County of Drummond.

By Mr. Solicitor General Chauveau,--The Petition of Charles Ménard and others of Beauport and other Parishes, County of Quebec; the Petition of William McBain and others, of the Settlement of Valcartier and other places; and the Petition of the Municipal Council of the County of Quebec.

By Mr. Jobin,--The Petition of the Corporation of St. Viateur.

By Mr. Lacoste,--The Petition of the Corporation of the College of St. Pierre de Chambly.

By Mr. Burnham,--The Petition of the Municipal Council of the United Counties of Northumberland and Durham.

By Mr. Fournier,--The Petition of Jean F. Caron, of the Parish of St. Jean Port Joli.

By Mr. Willson,--The Petition of the President, Directors and Company of Port Burwell Harbour.

By the Honorable Mr. Chabot,--The Petition of the Reverend Z. Sirois and others, of the Parishes of St. Pierre and St. François de la Rivière du Sud, in

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the Counties of L'Islet and Bellechasse; and the Petition of William Henderson, Esquire, and others, of the Township of Standon, District of Quebec.

By Mr. Brown,--The Petition of the Municipality of the United Townships of Dalhousie, North Sherbrooke and Lavant; two Petitions of Thomas Wightman, Moderator, and others, on behalf of the Synod of the Presbyterian Church of Canada; and three Petitions of the Municipal Council of the County of Kent.

By Mr. Murney,--Three Petitions of the Municipal Council of the County of Hastings.

By Mr. Crawford,--The Petition of the Municipal Council of the United Counties of Leeds and Grenville.

By the Honorable Mr. Viger,--The Petition of the Reverend M.J.E. Chevigny and others, on behalf of the Academy of St. Henry, District of Montreal.

By the Honorable Mr. Young,--The Petition of the Bank of Montreal; and the Petition of the St. Lawrence and Atlantic Railroad Company.

By the Honorable Mr. Hincks,--Two Petitions of the Municipal Council of the County of Oxford; and the Petition of the Woodstock and Lake Erie Railway and Harbour Company.

By Mr. Langton,--The Petition of Thomas J. Dennehy, and others, of the County of Peterborough; the Petition of David Sidey, of the Township of Hamilton, County of Northumberland; and two Petitions of the Municipal Council of the United Counties of Peterborough and Victoria.

By Mr. Tessier,--The Petition of the Municipal Council of the County of Portneuf; the Petition of Michel Girard, senior, of the Parish of L'Ancienne Lorette, yeoman; the Petition of A. Marcotte and others, of the Parish of St. Raymond du Bourg-Louis, County of Portneuf; the Petition of Louis Pettiteler and others, of the Parish of St. Raymond du Bourg-Louis, County of Portneuf; and the Petition of the Reverend J.P. Bedard and others, of the Parish of St. Raymond du Bourg-Louis, County of Portneuf.

By Mr. Fergusson,--The Petition of the Municipal Council of the United Counties of Wellington, Waterloo, and Gray.

Ordered, That Mr. Smith of Frontenac have leave to bring in a Bill to amend the Act for better securing the Independence of the Legislative Assembly of this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday the seventh day of September next.

On motion of Mr. Mackenzie, seconded by Mr. Hartman,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying for a Statement, up to the 1st of August instant, shewing the amount of Cash at the credit of the Government of Canada, subject to the draft of the Receiver General thereof, acting on its behalf, in the various Banking and other monied Institutions of the Province, or in the hands of individuals holding Public Deposits in and out of Canada, including the Agents or Brokers who transact the business of the Province in Europe, specifying the amount in each place of deposit, and what rates of interest are payable to Government on any part of the Public Deposits, in what cases, and under what arrangements or conditions. 2nd. A Statement of the Public Debt of Canada, naming the date and purpose of each Loan, the rate of interest, and where payable; the times when the Debentures were sold, and at what rates sold; the amount of interest payable on the said Debt, shewing also the several Loans made to Companies or individuals, and the amount of Exchange or Bills on London bought by the Government and remitted to London since 1848, for payment of interest on the Public Debt; the rates at which the

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said Bills were purchased, and from whom such Bills in all cases were purchased. 3rd. A Statement of the amount of money at the credit of the Sinking Fund of this Province, and how or where invested or deposited, stating the amount invested in 1850 and 1851. 4th. A Statement of the amounts paid by Government for managing or attending to the Public Debt, and the payments of the interest thereon, as commissions to Bankers, Agents, or otherwise, since January, 1848. 5th. Copies of all Correspondence (not already laid before the Legislature) between the Chartered Banks of Canada and the Government, relating to the transfer of the Public Accounts from the Banks of Montreal and British North America, to the Bank of Upper Canada.¹

MR. MACKENZIE moved an Address to His Excellency for a statement relative to the copies of all correspondence, not previously laid before the House², exchanged³ between the Chartered Banks of Canada and the Government, relating to the transfer of the public accounts from the Banks of Montreal and British North America to the Bank of Upper Canada. The hon. member made some remarks in support of his motion.⁴

MR. INSP. GEN. HINCKS said he would suggest that the hon. member should name some date in his motion at which he wished to have the accounts rendered. As to the correspondence, the government were not only willing but desirous that the whole of that should be laid before the House. [He] went on to say, with respect to the motion of the hon. member for Haldimand, that the greater part of the information asked for might be found in the public accounts.⁵

Motion carried.⁶

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Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Mackenzie, seconded by Mr. Rose,

Ordered, That the Officers connected with the several Chartered Banks, Savings Banks, Insurance and Railway Companies, and all other incorporated bodies, which are required by law to report annually for the information of the Legislature, do lay before this House, immediately, such Statements of their Affairs as are provided or required to be made by their several Acts of Incorporation.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to establish Courts of Conciliation or Arbitration in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to exempt to the value of , the tools or implements of any householder's trade or calling, and the wearing apparel, the bedding, and other furniture required for the use of his family, from seizure and sale under execution for debt; and to prevent the property thus exempted from being assigned, pledged, or sold in liquidation of debts contracted for intoxicating drinks.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to restrict the Acceptance of Office in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on the seventh day of September next.

On motion of Mr. Mackenzie, seconded by Mr. White,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying for a Return, in continuation of the several latest Returns sent down to this House for Upper Canada and for Lower Canada, of all the receipts and expenditure of the Clergy Reserve monies or funds in Upper Canada and Lower Canada, in detail, up to as recent a period or periods as the records of the Public Offices may enable the accounting Officers to make,--Return to shew the resources, the sales of land, timber, &c., the proceeds of rents paid, and the expenditure, with the particulars of each receipt and outlay; the salaries and pensions paid to Missionaries of the Church of England, and their widows, in both Canadas, as per Imperial Statute 3 & 4 Vic. cap. 78; the allowances paid to the Ministers of the Synod of the Presbyterian Church of Upper Canada, under the same authority; also the salaries of Wesleyan Methodist Missionaries, and all sums paid to or for the use of the Roman Catholic Church, and other Denominations,

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and to whom and for whom paid, in both Canadas; the state of the Clergy Reserve Fund or Funds appropriated to the United Church of England and Ireland, and the Church of Scotland, in the Canadas, since the date of the last Returns, as administered by the Society for the Propagation of the Gospel in Foreign parts; the monies received out of the Revenue Fund derived from the Lands reserved for the Clergy of the Church of England in Lower Canada, with the expenditure, since the dates included in the last Returns to this House; the like account as to all other Clergy Reserve Lands in Lower Canada; the Return to shew also, what balances there are of monies received out of the Clergy Reserve Funds, and where deposited, and whether the Banks or other depositaries are paying interest on said balances, and if so, what sums have been so paid; the receipts from Lands sold or rented, the principal and interest on sales, the charges of management, and to whom paid, and the disbursements.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Laurin have leave to bring in a Bill to provide efficient remedy against any inconveniences which may result from the destruction of certain Registers of the Parish of St. Louis de Lotbinière.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

The Order of the day being read, for taking into consideration the Speech of His Excellency the Governor General to both Houses of the Provincial Legislature; The House proceeded accordingly to take the said Speech into consideration.

Mr. Sicotte moved, seconded by Mr. Christie of Wentworth, and the Question being proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

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That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may

tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospect of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled districts:

That this House will consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those en-

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gaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province.

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective,

and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil;

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good.

*And a Debate arising thereupon;*⁷

MR. SICOTTE⁸ proposed to vote the accustomed reply to His Excellency's address⁹. En proposant les résolutions qui doivent servir de base à l'adresse de cette chambre en réponse au discours du trône, je sens le besoin que j'ai de toute l'indulgence de cette chambre¹⁰ on account of his being new to Parliamentary debates¹¹ et j'espère qu'elle ne me fera pas faute.¹² The right to modify the political and social condition of a people was the highest duty that could fall on any set of men. In our form of government this power was placed in two Houses of Parliament. It was not long in the history of this country since the minority governed everything--the fact that they did so no longer,--showed a great step in advance. The peaceful character of the late elections was also a pleasing fact, because it proved that the wishes of the majority were really the spring of power; the progress in population and prosperity which the country had undergone was a most striking and satisfactory fact. In speaking of this subject he stated the increase of the population of the country, and compared it with that of the United States with great advantage to the former--and he continued the comparison by extending it to Boston on the one hand, and Montreal and Toronto on the other.¹³ (L'orateur donne ici des statistiques comparées sur la population des Etats-Unis et du Canada, à diverses époques, depuis 1791 à 1852).¹⁴ The augmentation of riches and population, was not itself an intellectual or moral advance; but it could not take place conjointly with bad government and political system, nor without intellectual and moral advance. The increase in the value of the Provincial funds, proved the confidence of capitalists in the capacity of the Province to pay its debts--it showed two things, that the resources of the country were trusted in, and that the administration of those resources was believed to be good.¹⁵ L'introduction du système décimal dans le cours monétaire est une mesure de la plus haute importance et de nature à faire sentir ses heureux effets dans l'intérêt de l'industrie.

Nous possédons un revenu considérable. C'est encore un principe d'économie politique que le revenu public est en raison de celui des individus et qu'il augmente dans la même proportion, et que le revenu de l'état n'est qu'une partie du revenu des particuliers.¹⁶ If the city of Montreal had been able by its own credit to obtain money for the sufferers by fire on better terms than those offered by the government, this was another proof of the high credit which the Province enjoyed. After lauding the scheme for obtaining a line of steamships from Europe to Quebec, he proceeded to show that though the rate of taxation on the inhabitants of Canada was high, they might take comfort from the fact that all free governments were dear, and all despotic ones cheap--each seemed to cost what it was worth. This point he illustrated by a list of the taxes paid by the individual subjects of each of the chief states in the world.¹⁷ Il peut paraître paradoxal de dire que la richesse des individus peut se mesurer par le montant de ce qu'ils paient au trésor public; néanmoins, ce fait est certain. Moins un peuple a d'industrie, plus chaque particulier paie au trésor de l'état, plus les charges et les taxes y sont lourdes et multipliées.

En Angleterre, chaque individu	
paie au trésor	108 francs.
" France.....	33 "
" Prusse.....	17 "
" Portugal.....	15 "
" Autriche.....	10 "
" Espagne.....	7 "
" Suisse.....	5 "

Plus les particuliers sont riches, plus le gouvernement est à bon marché.¹⁸ [He] went on to speak in favour of the abolition of the Seigniorial tenure on terms equitable to all parties.¹⁹ Il existe une différence d'opinion au sujet de la tenure seigneuriale; mais tout le monde s'accorde à dire qu'il est nécessaire de régler cette importante question. La tenure seigneuriale implantée dans le pays lors de son établissement et conservée par la conquête, étouffe la liberté. L'égalité ne peut s'accorder avec les titres et les privilèges des seigneurs.²⁰ On the whole he believed the present government would be found to advance alike the material and political or moral interests of the people. He concluded by moving the address in answer to the speech from the Throne, which was, as usual, a mere echo of the speech itself.²¹

MR. D. CHRISTIE of Wentworth, seconded the motion.²² [He] said,--After the very able²³ et éloquent²⁴ speech of my Hon. Friend, I feel no ordinary difficulty in rising to second the Address which he (Mr. Sicotte) has moved to His Excellency the Governor General. That difficulty, sir, is increased by this being the first occasion on which I have ventured to address this House, and although I feel my inability to do justice to the subject, I rejoice to have an opportunity of bearing testimony to the great principles which I believe Her Majesty's Government in this Province is prepared, faithfully and honestly to carry out. And sir, I also feel that in the discharge of this duty, I shall not in vain crave that indulgence which this House is always ready to bestow. I have stated my conviction that Her Majesty's Advisers are²⁵ sincerely desirous of carrying out the principles contained in the resolutions before the House, and he believed the principles contained in them would be approved of by the great majority of the people of the country.²⁶ I believe them to be thoroughly in earnest in the desire which they express to do all in their power to ameliorate our condition. I cannot, and will not doubt their attachment to the principles which they are pledged to carry out. Time will prove the correctness of this opinion; but, sir, should my vaticinations be incorrect, I am sure I truly represent the feelings of my fellow Reformers from Upper Canada when I say that they will meet with determined and resolute opposition. --No one can rejoice more sincerely than I do with His Excellency in the tranquility which has prevailed throughout the Province, even during the turmoil and strife of a general election. When we look to other countries and to other times in our own country, we have reason to be proud of the fact that we have met, discussed and contended for our several party views with all the fervour of men honestly attached to those views, without forgetting that kindness of demeanour which becomes those who have one object in view--their country's welfare. This state of things has contributed in no small degree to that tide of prosperity which is setting in upon this Province.--Our Provincial securities are now higher than they ever were, and are steadily rising in value. The present and late Government are principally entitled to the credit of this. To the distinguished financial ability of my Hon. Friend, the Inspector General, we owe much; and sir, it is a matter of regret that such valuable services as his should have been so often requited so shabbily. Verily he has been one of the best abused men in the country, but, he now occupies the front position for which his talents fit him. The recent extension of postal accommodation is another way in which substantial benefit has been bestowed on the country. The Postmaster General has in all cases where a reasonable request has been made, responded to it with alacrity. It is cheering to be informed that not-

withstanding the frequency of such calls, the estimated deficiency has not been increased. We are further assured that it is confidently anticipated that the receipts of the Department will soon balance the expenditure.--I am glad that the Government, not discouraged by a former unsuccessful effort, have again resolved to bring in a measure for establishing a decimal currency. Our present currency is unsuited to our circumstances. That currency is not represented by a corresponding coinage; we are compelled to use British and American coin, the denomination of which is different, so that our commercial system is perplexed and embarrassed. We ought to adopt the decimal currency because it is most simple and convenient. In this matter it is hoped that our wishes will not again be frustrated by an Imperial veto. There is another part of His Excellency's Speech which calls for the most attentive consideration, viz.: The steps which have been taken by the Government in reference to our Railway communications. The expenditure of large sums of money is involved in this matter, as well as the development of the latent resources of the country. We bid fair soon to be in possession of the most splendid Railways on the continent, if Government aid be judiciously applied, and I may here remark that the most unpleasant feature in the matter is the unceremonious manner in which the Hon. Inspector General was treated by the Imperial authorities. Whatever difference of opinion may exist as to the merits of the lines under discussion, no truehearted Canadian can help feeling the insult offered to us in the person of our representative. But Sir, perhaps one of the most important steps which the Government propose to take, and one which will greatly facilitate local improvements, is the giving to Municipal Debentures, a statute which is necessary to their utility. I do not know precisely what the plan is, whether it be to give Provincial for Municipal Debentures, or, to make Municipal Debentures the basis of a banking system. In either case the circulating medium would be considerably increased, thus affording enlarged means of improvement. The attention of this House is also called to the importance of establishing direct steam communication between Great Britain and the Canadian Ports; these improvements if wisely carried out bid fair soon to render Canada what she is destined to become, one of the greatest agricultural and commercial countries in the world. But, sir, although we are called on to rejoice in the material prosperity of the country and great though this prosperity be, there is one question which has long disturbed the country, and which in the midst of other cheering symptoms is rankling like an old ulcer, and praying on our very vitals. I need scarcely say that I refer to the Clergy Reserve question. For the last 25 years this question has agitated and distracted the country. Time after time did the Parliament of Upper Canada pass measures for disposing of those Reserves in the only way in which they can be satisfactorily disposed of, for general purposes, but those measures through Imperial and Executive influence were destroyed. A settlement was effected in 1840, which was so meagre that the Government [sic] of the day Lord Sydenham said to a friend of mine: "I have done what I could to preserve the fund, the interest only will be available, and in ten years you will have it all your own way." Well how was this settlement effected, by the bread and butter Parliament of Sir Francis Head, which, bad as it was, passed a better bill than we got from the Imperial Parliament. This settlement has never been and never will be satisfactory. The people of Upper Canada will never, submit to be plundered of their property in this way. I will not insult the under-standings of hon. members by going into a lengthened argumentation of the case, the people of Upper Canada repudiate the connection between Church and State as unscriptural and unjust. Well during the last Parliament steps were taken to induce the Imperial Parliament to revoke the measure of 1840, and to give to this colony the right to legislate on this question. In answer to the address of this House Lord Grey clearly admitted outright to legislate (see despatches) but if I am correctly informed her Majesty's present Government has declined to carry out this principle, by refusing to redeem the pledge given by Lord Grey. Now, sir, I

deeply regret this determination, because if persevered in it will lead to the most disastrous consequences. We will never tacitly submit to a violation of our constitutional rights. In 1841 the government of England recognized the right of the Canadian Parliament to manage its own local affairs. We now wish to know whether in word merely we are to have a constitution or whether the British Government is disposed to maintain the faith of the Crown as pledged to these Colonies. And, Sir, I hope that the government and this house will take their stand on the constitutional question as to whether the People of Canada shall have the right to manage their own affairs or not. I do not approve of a course which has been recommended by some, that is, to pass a bill predicated on Imperial legislation. This is a degrading position; the people of England have no right to know what we mean to do with these Reserves, and, Sir, I for one will never consent to our being put in the position of humble supplicants at the bar of the Imperial Legislature, begging their assent to a matter which belongs only to us. By such a course we virtually admit their right to legislate on the question; we have a precedent of this kind in the settlement of 1840, and what was the result, the bill passed by the Legislature of this country was rejected by the Imperial Parliament and a different one substituted in its room. If we take this course we bind ourselves to take the sort of measure which they may choose to send us. I hope therefore that the Government will be prepared to take the course which will be the most dignified and the most likely to bring about a speedy settlement of question. They know that Upper Canada is anxiously expecting them to do their duty. I do not wish to be understood as casting any doubt on the integrity of the administration, far from it, I believe them to be honest and resolved to do their duty. Before leaving this subject I feel it my duty to state that although I do not apprehend any difficulty in this matter, if the Imperial Parliament refuses to give us our constitutional rights, I for one will be prepared to vote for a bill, but with no suspending clause, a bill which on the face of it will say to the Imperial Authorities: You have refused the just and constitutional demands of the Canadian people, "we have taken this, and we will take all other local matters into our own hands, make the most of it." Next if not equal in importance to the Clergy Reserves is the question of equalizing and extending the representation. I do sincerely hope that the intended measure will be based on population, that the small boroughs and counties will be attached for representative purposes to the adjoining constituencies. By the present system we cannot obtain a fair expression of public opinion.²⁷

Hear from [the] opposition.²⁸

MR. D. CHRISTIE [continued:] Then, Sir, we have notice of the intention of the Government to extend the franchise. This is a most just measure: by the present arrangement large numbers of intelligent industrious men are debarred from a valuable privilege.--There are many parts of the country where men who have expended considerable sums of money and labor, but who not having made their last payments have no right to vote. In Lower Canada this is not the case: an individual can vote on a location ticket, there can be no good reason why this right should not be extended to Upper Canada. The number of voters in many populous Municipalities is very small, as compared with the adult male population. Take for instance Dumfries, one of the best and oldest settled Townships in Western Canada, where at the last election when my hon. friend, the member for Halton was a candidate, 378 votes were polled, giving one in every six; while in the Township of Brantford 496 were polled, giving one in seven. A necessary concomitant of an extended franchise is vote by ballot, which, I trust (although not mentioned in the Resolutions) the Government will be prepared to recommend. I will ask my Hon. Friend for Huron what he would expect to be the result of an election in that county, where the influence of the Canada Company is so great, with an extended franchise, without the protection of the ballot-box. In all representative bodies

the introduction of the ballot is wrong, because those who send have a right to know how those who are sent discharge their duties; but individual electors who represent only themselves, have a right to vote as they please, and in the way they please. This House is also called upon to concur with His Excellency in his opinion, that the interests of Agriculture are entitled to special care and attention. As a class Agriculturists have long complained that their interests were not fairly represented in the Legislature, and, sir, I feel assured that the appeal will not be made in vain to those who are sent to represent that interest in this House.--This country has long suffered from the want of proper information at home, in reference to the capabilities of the country. From the want of this information thousands of emigrants are driven from our shores and the progress of the country woefully retarded. I have already occupied so large a portion of the time of the House, that I must of necessity omit some other points of importance in the resolutions, but I cannot sit down without thanking them for the indulgence they have shown me, and without expressing a cordial response to the wish of his Excellency, that in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the people, this House will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good.²⁹

MR. BOULTON proceeded to review the address; prefacing his examination of its clauses by condemning the absurd custom which rendered it necessary to go through this form of voting an address before proceeding to business, and thus to detain the House a whole week doing nothing. He would prefer a business like document sent down for practical use the first day of the session. On the clause relating to the tranquility of the Province, he expressed his surprise at the necessity of congratulating the country on its tranquility. How could the country be otherwise, since it had none of those causes of tumult which prevailed in Europe. We were tranquil, it was true; but he thought too tranquil; it was the tranquility of death,³⁰ de l'inaction.³¹ The whole province was in progress far behind the progress made by its neighbours.³² J'ai visité ces jours derniers, avec plusieurs de mes collègues, le steamer Albatros. On nous dit alors qu'on n'avait jamais vu un pays possédant autant de sources de richesses que le Canada et ou règne autant d'apathie de la part du peuple. Que la population des rives du Saint-Laurent paraissait mourir de faim.³³ The next clause related to the increased value of Provincial securities and the prosperity of the country. Now he wanted to know the ground upon which the hon. member for St. Hyacinthe supported this clause. He saw no evidence of prosperity in the country, though he had sought carefully for it.³⁴ Où trouve-t-on cette prospérité? Est-ce parce que les bons provinciaux sont en hausse et se vendent à 16% de prime? Mais cette hausse n'est pas une preuve de prospérité. Tout ce qu'on peut dire au plus, c'est que cette prospérité que l'on vante tant n'est que relative et ressemble beaucoup à la prospérité d'un homme nu qui s'est procuré des habits. Ce serait sans doute une [*sic*] indice de prospérité chez lui, mais d'une prospérité relative, d'une prospérité semblable à celle du pays et que l'on prône de tous côtés.

Mais où est cette prospérité? est-ce dans notre agriculture, notre commerce, nos manufactures, notre industrie? mais rien de tout cela n'existe parmi nous. Notre commerce est ruineux pour le pays. Nos importations excèdent les exportations et nous sommes incapables de payer ce que nous importons. Et on appelle cela de la prospérité!

Prenons le rapport des douanes des trois dernières années, nous y voyons:

En 1849	Import. £3,000,000	Exportat. £2,500,000
-- 1850	" 4,250,000	" 2,990,000
-- 1851	" 5,358,000	" 3,250,000

Différence entre les importations et les exportations pour 1850 et 1851--

£3,800,000. Ces importations se font toutes dans des vaisseaux anglais et l'argent du pays passe entre les mains des étrangers. Les émigrés qui ne font que passer, ne laissent rien en ce pays.

En voilà donc suffisamment pour établir que cette prospérité du pays n'existe pas.³⁵ He was [however] not a croaker and did not profess to consider this a very bad state of things.³⁶ Je ne veux pas faire de l'opposition au gouvernement, et j'ai dans la majorité de ceux qui la composent, peut-être plus de confiance qu'ils n'ont les uns envers les autres, mais j'attends d'eux qu'ils proposent les mesures dont le pays a besoin.

L'orateur ici fait une comparaison entre le Canada et les Etats-Unis. Il ne peut pas, dit-il, comparer le Canada aux contrées de l'Europe, à cause de la différence qui existe entre ces derniers et le premier, tant sous le rapport de la situation locale que sous les rapports politiques et sociaux. Il faut donc prendre pour point de comparaison, un pays de l'Amérique, les Etats-Unis qui nous avoisinent.³⁷ The United States imported much more than they exported, but then they had the resources of California gold. Canada had no other resource but the shipping built in Quebec, and that was included in the statement of exports. Then we had the military expenditure and the money brought in by emigrants; but he did not think these two items would make up the difference between exports and imports. He did not say these things to oppose the government.... He had [much] confidence in ... the Inspector General ... especially.... He wanted to know, however, where the prosperity of the country could be found? He then compared the business of Massachusetts as shown by statistics of banking, auction duties, &c., with those of Canada; showing how greatly Massachusetts with 1,000,000 of population exceeded in business the Province of Canada with two millions of population; and that the cost of government in the former country was \$½ a head, and in Canada a \$1 a head. In the same way the cost of necessaries were much higher in Canada than in the United States, while labour was very much lower, so that our population was constantly emigrating to the United States: and this emigration constantly destroyed the consumers, who might create a market for our own products. Last winter, in consequence of this want of markets, wheat was 3s. per bushel in Canada, and 4s. in the United States. Now, the farmer could not raise wheat for less than 3s. per bushel, and if he got no more he lost his labour. If the Canadians could not get into the markets of the United States, we must build up a market to consume our own products. The capital of the Banks in Canada was £3,280,000, including the Bank of British North America; which had establishments in other colonies. That was \$7½ per man of banking capital, while in Massachusetts they had \$37,000,000 banking capital, or \$27 per man. He had also ascertained where Canada got the fish she used. He found that in 1850 she imported £5,064, and from the British Provinces only £3,605 from the United States.³⁸

MR. INSP. GEN. HINCKS said "the bounty"³⁹.

MR. BOULTON.--Well why not have a bounty? The fisheries of the United States employed 20,000 men, or a population of 100,000, men, women, and children. He was willing to take the census returns on the word of the ministry, but as to the value of the securities, he would like to know what were their value? He thought the last returns were 16 per cent⁴⁰.

MR. INSP. GEN. HINCKS. D'après les dernières nouvelles, ils sont cotés à 14½ à 16 p. 100.⁴¹

MR. BOULTON. J'ai vu dans les journaux, qu'elle était fixée de 14½ à 16 p. 100. Mais d'où vient cette cote, qui nous la fournit?⁴² He wanted to know whether the Canadian debentures had any current market value in the London market.⁴³ On ne trouve rien à ce sujet dans aucun des journaux anglais ou des Etats-Unis.⁴⁴ Barings, in their circular, it was true, showed that these securities stood at the head of the list--above those of the United States; so that Canadians were per-

fectly surprised to see how their debentures went up. But he could not learn that these debentures had any market value in Canada.⁴⁵ L'état des bons des autres pays se lit dans tous les journaux d'affaires, mais on n'y voit jamais figurer les bons du Canada.⁴⁶

MR. INSP. GEN. HINCKS, have you any to sell?⁴⁷

MR. BOULTON. No! you had some for sale, and did not get 16 per cent. An agent of the Upper Canada Bank told him that a Government Debenture of Canada could not be sold in New York for more than par, less the expenses.⁴⁸ L'inspecteur-général voudra-t-il nous dire d'où vient cette valeur nominale qui figure dans les circulaires de la maison Baring? Je ne veux rien insinuer contre cette maison, mais j'ai appris qu'elle était le seul agent de nos bons en Angleterre et que c'est elle qui tient entre ses mains le Canada entier. C'est elle qui, à certaines époques, vend nos bons à certaines personnes; c'est elle qui cote dans ses circulaires, nos bons à 16 p. 000 de prime⁴⁹ [and this] was published in such a way as to keep up the price.⁵⁰ Cette maison s' imagine par là inspirer aux capitalistes une confiance extrême dans la solvabilité du Canada et faire, quelque bon jour, par suite de cette confiance, une magnifique spéculation sur la vente de ces bons à une prime très forte.⁵¹

MR. INSP. GEN. HINCKS. Diverses personnes ont acheté nos bons sur les marchés de Londres.⁵²

MR. BOULTON. Je ne veux pas accuser l'inspecteur-général. Je laisse cette tâche à d'autres; mais je voudrais qu'on m'expliquât comment il se fait que⁵³ £400,000 bonds⁵⁴ qui valent, dit-on, 16 p. 100, se sont vendus récemment à 4 p. 100.⁵⁵

MR. INSP. GEN. HINCKS. Sans doute, l'hon. membre ne suppose point que des capitalistes achèteront de ces bons pour de fortes sommes et qu'ils en offriront une prime aussi élevée que pour un petit montant.⁵⁶ [He] said they had not, at that time got so high as at present. At the moment when they were sold, they realized within a shade of the highest current rates,--indeed, as much as could have been expected for so large an amount, thrown at once in the market.⁵⁷

MR. BOULTON. Ce que je sais, c'est que lorsque nos bons se vendent de 3 à 4 p. 100 sur les marchés anglais, les circulaires de la maison Baring les cotent à 16 pour cent.⁵⁸ Mr. Boulton continued to express his satisfaction at the policy of the Government as to railways and steamships; but he condemned the introduction of the allusion to the Clergy Reserves, which he considered as a bone of contention thrown into this tranquil Canada. The speech from the throne contained no expression of regret at the conduct of the Imperial Government; then why express regret in the reply? He did not believe the Government, as the Government, regretted this. If they did, why did they act as they did last year, when they were warned of what would happen by the member for Haldimand. For his own part, he would not vote for diverting these endowments from the holy purposes to which they were applied.⁵⁹ Il y a longtemps que j'ai l'avantage de connaître la population du Bas-Canada, et j'avance sans crainte d'être démenti, qui s'il y a sur la terre une population morale, c'est sans contredit celle du Bas-Canada. Vous n'y voyez aucun de ces crimes horribles qui déshonnorent [sic] les autres pays. La religion est la base de cette moralité. Depuis leur naissance jusqu'au tombeau, les Bas-Canadiens sont sous la direction de leurs prêtres: ce qui explique pourquoi ils sont si moraux et exempts des vices et de crimes qui existent ailleurs. Dans le Haut-Canada, il y a aussi moins de crimes que dans les autres pays, par exemple, que dans les Etats-Unis. On n'y voit pas des hommes d'éducation se former en compagnie de voleurs de grands chemins. C'est encore là un effet de l'heureuse influence de l'instruction morale et religieuse. Les réserves du clergé ont toujours été employées à cette fin. Voilà pourquoi jamais je ne consentirai à

l'aliénation des réserves du clergé, à les détourner de la fin pour laquelle elles ont été faites.⁶⁰ He did not think the Clergy Reserves were as well administered as they might be, and he would be prepared to dispose of them in such a manner as to give greater instruction to the rural population.⁶¹ Elles ont été données au peuple du Canada pour l'instruction morale et religieuse de ses enfants. Le produit de ces réserves est distribué entre les ministres de diverses persuasions religieuses; et ces ministres, à leur tour, enseignent à la jeunesse les vertus morales et religieuses qui doivent être les guides de toute leur vie.⁶² Coming to the revenue, he said the increase in it had arisen from⁶³ l'élévation des droits en ... l'accroissement de la population, mais non aux talents, à l'habileté du gouvernement⁶⁴ [nor] from increased consumption arising out of a greater power on the part of the people to consume.⁶⁵ Baissez ces droits, et la recette publique sera considérablement au-dessous de la dépense.⁶⁶ The hon. Gentleman went on to speak at length upon other portions of the resolutions in answer to the address. He expressed himself in favor of an increase of the representation⁶⁷, pourvu qu'elle soit basée sur la population de la province; mais je ne suis point pour l'extension de la franchise électorale. Je crois que les intérêts du peuple sont suffisamment défendus par la classe actuelle des électeurs.⁶⁸ The result of the elections in U.C., had shewn that those who had tested the constituencies in favor of the secularization of the Clergy Reserves had been left at home. The hon. gentleman read an article from the Leader, which he stated was understood to be the organ of the Inspector General. The article was upon the subject of the Derby ministry, and its tenor was, that Earl Derby would endeavor to purchase all purchasable members. He thought that that article would exactly apply to the Inspector General, and he created considerable merriment by making some facetious remarks upon the subject, and hinting, while professing not to do so, that the Inspector General would have to purchase his majority from among the members who were not of any particular party. The hon. member came to the subject of the Seignioral Tenure.⁶⁹ L'allusion faite à la tenure seigneurial manque de courage. Pourquoi le ministère ne vient-il pas proposer une mesure spécifique à ce sujet? Le courage lui a-t-il manqué? Oui.⁷⁰ He did not think that a statement that some steps would probably be taken, was a proper one for the ministry to make. He believed they were bound to assume the responsibility of some step, and state positively that a measure would be issued by them (hear, hear.)⁷¹ Il est probable qu'il va laisser à un membre en dehors de l'administration le soin de s'occuper d'une semblable mesure.⁷² He condemned the present state of the Lunatic Asylum of Upper Canada, and contended that the Government were bound to come down with some definite and effective measure for its reform. He dilated at some length upon the form of the Governor General's speech, and compared it with the annual message of the Governor of the State of New York. The latter he considered infinitely better. It was proper and right to adhere to old forms and customs in England, but they were not adapted to Canada, and it was absurd to use them. He continued to remark at great length upon the general state of the Province and expressed his belief that if our trade and manufactures were not protected, annexation would be the final remedy that would be sought. He did not believe that reciprocity could be obtained. He knew that the opinion which he had expressed with respect to annexation might bring much odium upon him, but for that reason he would not shrink from expressing it. He did not say that he advocated annexation; but he did assert the right of expressing his opinion. Lord John Russell and Mr. Gladstone had expressed the belief that Canada would be eventually swallowed up in the great confederacy; and when they saw that the most eminent minds and statesmen in England stated such a belief was it tolerable that a man should be tabooed [sic] in Canada, for stating a similar one? Why Mr. Speaker would probably not be sitting in that chair if a gentleman of French origin had not stated his belief that annexation was the final destiny of these Provinces. He went on to condemn the principle of proscription because of the expression of

opinion.⁷³ L'hon. membre ensuite parle de divers sujets plus ou moins étrangers aux résolutions. Il raconte plusieurs anecdotes, et entre autres celle d'un anglais arrivé en ce pays, condamnant tout ce qu'on y faisait et surtout le mode de défricher les terres en bois debout. Pour moi, disait notre homme, je ne me donne pas tant de peine, et j'y vais beaucoup plus vite. Je vous fais sauter une forêt par la mine et tout est dit.⁷⁴

MR. CHAUVEAU, il n'a pas inventé la poudre.⁷⁵

MR. BOULTON [concluded:] Je ne suis d'aucun parti, mais j'appartiens à un principe et toute administration qui gouvernera d'après ce principe, aura mon appui.⁷⁶

A la fin du discours de M. Sicotte, MR. BOULTON avait prié ce monsieur de vouloir bien favoriser les membres du Haut-Canada d'une traduction anglaise du discours qu'il avait prononcé en français.⁷⁷

Quand M. Boulton eut terminé son discours ... MR. TURCOTTE lui demanda s'il voulait bien à son tour favoriser les membres du Bas-Canada d'une traduction française de son discours.⁷⁸

Cet incident produisit un éclat de rire général.⁷⁹

MR. BOULTON parut un instant déconcerté. Cependant il se tira d'affaire assez finement, en disant qu'il regrettait beaucoup de ne pas savoir parler la langue française, mais qu'il se flattait que M. l'orateur de la chambre, qui avait été élevé à sa dignité à cause de sa connaissance des deux langues, voudrait bientôt rendre le service de répéter son discours en français.⁸⁰

MR. ROSE⁸¹ condemned the last speaker for waste of time in making too long a Speech. He expressed his general confidence in the present administration, and his belief that party distinctions were necessary. He hoped the gentlemen opposite would carry on their opposition in an honorable and gentlemanly manner and they would receive nothing but courtesy from him.--He expressed good will towards the French members: he believed Canada was in a prosperous state, and he was proud of the country. The credit of the country was high; and he would ask,--if we were not indebted for that, to the present ministry and those who had acted with them? The speech from the throne contained satisfactory information on the subject of the Post Office; and the Post Master General was so well spoken of by all, that he almost thought that he (the Post Master General) came under that class of persons against whom a woe had been pronounced in scripture. He read from the speech the paragraphs relating to railroads and municipal debentures, and expressed his concurrence in them. On the subject of the Clergy Reserves he spoke at some length stating his belief that their secularization was necessary, and his faith, that this would be, before long, brought about. Whatever might be the opinion of Earl Derby, he believed the people of England were in favor of leaving the people of Canada to legislate for themselves upon this question, and that they would finally influence their government. He referred to the agricultural bureau, and expressed his approbation of it.⁸² [Il] félicita ensuite le pays sur le grand nombre de cultivateurs, membres de la chambre.⁸³ He desired to see the different professions represented in this house, but he did think that the legal professions had had an undue and pernicious preponderance in the house; and he was not surprised that the hon. Robt. Baldwin had been turned out by a farmer in a farming constituency. He spoke at length upon the solid prosperity of the farmers of Upper Canada, and contended that they were more wealthy and in a better condition than the farmers of the United States. The hon. member for Toronto declared that from the custom's returns the exports were less than our imports; but this afforded no fair criterion of facts, for a merchant might export a cargo of ice or other material comparatively valueless in Canada, which he might exchange for goods that on their entry to Canada would be very valuable. As to the insti-

tutions of Canada and those of the United States, he preferred our own, and knew intelligent Americans who aid [*sic*] so too. He hoped that under the present government a system would be adopted that would remedy this evil; and thought the money which had been spent in other ways might have been better dispensed in paying lecturers to travel through England and publish the advantages of Canada in order to induce emigration.... The hon. member concluded by saying they [*sic*] he was not fond of long speeches; but as he and some others had been called the tail of the hon. Speaker, he hoped, under that gentleman's able tuition they would learn so to conduct themselves that he would not be ashamed of his tail.⁸⁴

MR. MERRITT said that prosperity was to be found in agriculture, manufactures, shipping, and commerce. How could it be affirmed as it was in the speech, that these various interests prospered in Canada? They did prosper, he confessed, as compared with former years, and, with such resources as she possessed, Canada must prosper, in spite of any government whatever; but compared to other countries, she did not prosper. Wheat was worth 20 per cent less in Canada than in the United States, whenever the American was better than the European markets. That could not be denied. Yet, when the market was better in Europe than America, the balance was not restored to Canada--the drawbacks, &c., upon the Canadian trade made up a charge of 1s. a barrel against Canada. Now this declaration of prosperity would lead the people of England to believe that we had nothing to demand. He wanted to avoid such a declaration as this. He wanted to show that under the commercial policy of England, Canada never could be on a footing of equality with the United States. He did not want protection; but he did want England to understand our position, which, it was clear, they did not ... do, or Sir John Packington would not have replied as he did to the address from Toronto. Sir John Packington said you want reciprocity; but we cannot give it to you, that is for the United States. He said that England could give it, by taxing other nations as they taxed her. He pointed out the rapid increase of business between Canada and the United States; but while our trade with the United States was thus increased, we were met with nothing but a continuance of taxation on our produce. He had given up all hope of reciprocity freely given, and he desired to know how long this state of things would last--how long we were to go on without adopting some measure to bring the Americans to a better mind? He hoped the government would move an address, such as he desired, to induce the British Government to put such taxes on American produce as would bring down the prices of their produce and put up those of Canadian produce. He contended that, while England denounced bounties imposed by the colonies, they gave bounties to American trade by their premiums to the steamers running to American ports. In the same way the American bounties acted in such a manner as to drive colonial fishermen from their own shores. Great Britain, however, did pay bounties as well as the Americans; but the Americans paid bounties to catch the fish, while Great Britain paid bounties, in the shape of men-of-war, to drive the Americans off. He did not approve of bounties; but he would adopt them as a retaliatory policy. He feared that a system of high protective duties would be evaded by smuggling; but he would go as far as he could. At present Canadian business was completely driven away from Canada. She had spent £1,000,000 on the St. Lawrence Canals, and they were a dead failure, all because cheap ocean freights took the commerce from our own shores.⁸⁵

MR. CAUCHON.--Je remarque que l'administration n'a pas encore, comme il est d'usage, donné des explications au sujet du principe sur lequel le gouvernement actuel a été formé. Je comprends facilement que cette déclaration n'a pas encore été faite, les orateurs qui m'ont précédé ayant pris presque toute cette séance; mais, cependant, j'espère que ces explications seront données bientôt.⁸⁶

SIR A. MACNAB here moved the adjournment of the debate, taking occasion loudly to repudiate the sentiments expressed by Mr. Wm. Boulton⁸⁷, [surtout] l'idée

de l'annexion et de l'abolition des formes parlementaires,⁸⁸ which, he said, were those of the hon. member for Toronto and of nobody else.⁸⁹ Il déclara que si la majorité des tories ne pensait pas comme lui, il se jeterait dans les bras de M. Hincks⁹⁰.

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On motion of Sir Allan N. MacNab, seconded by the Honorable Mr. Robinson, Ordered, That the Debate be adjourned until To-morrow, and be then the first Order of the day.

*The Order of the day being read, for taking into further consideration such parts of the Report of the Select Committee appointed to prepare and report Lists of Members to compose the eight Select Standing Committees ordered by this House, as have not yet been concurred in;*⁹¹

MR. INSP. GEN. HINCKS then moved the adoption of the reports of the Special Committee of selection, saying that if amendments were to be moved he would postpone it till to-morrow.⁹²

MR. BROWN only desired to make a suggestion to this effect: that he did not see on the committee of Public Accounts one man who had been conspicuous in preparing the celebrated retrenchment report of 1850. There was the hon. member for Huron (Mr. M. Cameron) who had some notable schemes of that kind, and it was a pity that they should fail.⁹³

MR. INSP. GEN. HINCKS explained that he understood the Committee to be merely for the audit of the public account.⁹⁴

MR. BROWN replied that in that case he was mistaken; but he still thought it a pity that hon. gentlemen should have valuable schemes of retrenchment locked up in their own breasts, without the means of getting them out.⁹⁵

*La proposition passe à l'unanimité.*⁹⁶

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And the same being again read;

Resolved, That this House doth concur with the Committee in the remainder of the said Report.

Then, on motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Macdonald,

*The House adjourned.*⁹⁷

APPENDIX: 24 AUGUST 1852.

[WITHDRAWN MOTION RE: WHARVES ON ST. LAWRENCE RIVER.]⁹⁸

DR. LATERRIERE moved for a Select Committee on the subject of the Wharves in erection, under the Superintendence of the Commissioners of Public Works, on the south side of the River St. Lawrence, below Quebec.⁹⁹

A conversational discussion arose on this motion, but it was inaudible in the reporters' gallery.¹⁰⁰

MR. INSP. GEN. HINCKS said this was one of those questions of a local character which particular gentlemen took up for the advantage of their own neighbors, without troubling themselves much about the question of economy. Now the government Department charged with the discharge of the duty imposed by the act of last session could have no other object than to carry out that act in the best way. But if it were referred to a special committee, there could be no doubt that the committee would recommend the work to be a great deal larger, and also, probably, better than the plan proposed. No doubt the commissioner of the Board of Works would be very willing to acknowledge that the pier would be better if it were larger; but that would involve an expenditure of public money, which he did not think the department ought to take the responsibility of, so long as the engineer conceived the present plan to be sufficient. The attention of the Commissioners of Public Works had been called to the subject, and an engineer was actually upon the point of going down to make farther surveys.¹⁰¹

MR. SMITH thought it a question whether the House would take the opinion of the Chief Commissioner of the Board, who knew about as much of building wharves as he (Mr. Smith) in preference to those of the hon. members for Saguenay and Quebec. Still if the Chief Commissioner were prepared to say that he believed the work would soon be satisfactorily carried on, he thought that should end the matter.¹⁰²

MR. COM. PUB. WORKS YOUNG not being himself an engineer was bound to take the opinion of the chief engineer of the Department, and he was happy to say that he believed the work would be carried out in an efficient and satisfactory manner.¹⁰³

DR. LATERRIERE then withdrew his motion.¹⁰⁴

[QUESTION AND ANSWER RE: SAULT STE. MARIE CANAL.]¹⁰⁵

MR. ROBINSON [asked a question].¹⁰⁶

MR. COM. PUB. WORKS YOUNG ... [replied:] A survey had been made for a Canal at Sault St. Marie, and no important obstructions were known to exist. He would shortly be able to state the result.¹⁰⁷

FOOTNOTES: 24 AUGUST 1852.

1. The following papers reported the debate on this matter in identical accounts: BRITISH WHIG, 25 August 1852, HAMILTON SPECTATOR DAILY, 25 August 1852, GLOBE, 26 August 1852, HAMILTON GAZETTE, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 26 August 1852, and NIAGARA MAIL, 1 September 1852 (which translated from JOURNAL DE QUEBEC, of unknown date); QUEBEC GAZETTE, 25 August 1852, MORNING CHRONICLE, 25 August 1852, HAMILTON SPECTATOR DAILY, 30 August 1852 (which copied from MORNING CHRONICLE), NORTH AMERICAN SEMI-WEEKLY, 31 August 1852, NORTH AMERICAN, 2 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, BATHURST COURIER, 3 September 1852, and LA MINERVE, 28 August 1852. A commentary appeared in L'AVENIR, 1 September 1852.
2. QUEBEC GAZETTE, 25 August 1852.
3. BRITISH WHIG, 25 August 1852.
4. QUEBEC GAZETTE, 25 August 1852.
5. IBID.
6. IBID.
7. The following papers reported the debate on this matter in partially identical accounts: QUEBEC GAZETTE, 25 August 1852, MORNING CHRONICLE, 25 August 1852, MONTREAL GAZETTE, 27 August 1852, PILOT, 27 August 1852, HAMILTON SPECTATOR DAILY, 30 September 1852 (which copied from MORNING CHRONICLE), NORTH AMERICAN SEMI-WEEKLY, 31 August 1852, BRITISH WHIG, 31 August 1852, BRITISH COLONIST, 31 August 1852, EXAMINER, 1 September 1852, HAMILTON GAZETTE, 2 September 1852, NORTH AMERICAN, 2 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, BATHURST COURIER, 3 September 1852, and OTTAWA CITIZEN, 4 September 1852; LA MINERVE, 28 August 1852, LE PAYS, 30 August 1852, and L'AVENIR, 1 September 1852. The debate was also reported by: PILOT, 26 August 1852; JOURNAL DE QUEBEC, 26 August 1852; and L'AVENIR, 1 September 1852 (in a separate account). BRITISH COLONIST, 27 August 1852, and GLOBE, 28 August 1852, noted the debate in identical accounts. Commentaries appeared in: QUEBEC GAZETTE, 25 August 1852; HAMILTON SPECTATOR, 31 August 1852; LA MINERVE, 28 August 1852; and L'AVENIR, 1 September 1852.
8. L'AVENIR, 1 September 1852, commented as follows on Mr. Sicotte's maiden speech in the House: "Le premier pas de M. Sicotte, dans l'enceinte législative, a été un faux pas. Il n'aurait pas dû se charger de la difficile tâche de parler le langage aride des gouvernements. Il a perdu sa position, le prestige qu'il exerçait d'être un orateur brillant. Vu de loin, il passait pour un homme de talents extraordinaires, vu de près, sur la scène parlementaire, il ne s'est pas même montré médiocrement médiocre. Aussi, le thermomètre de l'enthousiasme des représentans n'a jamais dépassé zéro." LA MINERVE, 28 August 1852, on the other hand, noted that: "Ce monsieur a été écouté durant tout son discours avec une attention marquée. L'orateur s'est tenu constamment dans la haute région des principes, et sa parole était concise, et mesurée avec toute la prudence d'un homme d'état. La réputation de M. Sicotte l'avait déjà devancé, ses talents comme avocat étaient bien connus; et les membres de l'opposition, comme ceux du parti ministériel, ont attaché à ses opinions tout le poids qu'elles méritent."
9. BRITISH WHIG, 31 August 1852.
10. JOURNAL DE QUEBEC, 26 August 1852.
11. BRITISH WHIG, 31 August 1852.
12. JOURNAL DE QUEBEC, 26 August 1852.
13. BRITISH WHIG, 31 August 1852.
14. JOURNAL DE QUEBEC, 26 August 1852.
15. BRITISH WHIG, 31 August 1852.
16. JOURNAL DE QUEBEC, 26 August 1852.
17. BRITISH WHIG, 31 August 1852.

18. JOURNAL DE QUEBEC, 26 August 1852.
19. BRITISH WHIG, 31 August 1852.
20. JOURNAL DE QUEBEC, 26 August 1852.
21. BRITISH WHIG, 31 August 1852.
22. IBID.
23. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
24. JOURNAL DE QUEBEC, 26 August 1852.
25. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
26. EXAMINER, 1 September 1852.
27. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
28. BRITISH WHIG, 31 August 1852.
29. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
30. IBID.
31. JOURNAL DE QUEBEC, 26 August 1852.
32. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
33. JOURNAL DE QUEBEC, 26 August 1852.
34. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
35. JOURNAL DE QUEBEC, 26 August 1852.
36. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
37. JOURNAL DE QUEBEC, 26 August 1852.
38. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
39. IBID.
40. IBID.
41. JOURNAL DE QUEBEC, 26 August 1852.
42. IBID.
43. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
44. JOURNAL DE QUEBEC, 26 August 1852.
45. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
46. JOURNAL DE QUEBEC, 26 August 1852.
47. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
48. IBID.
49. JOURNAL DE QUEBEC, 26 August 1852.
50. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
51. JOURNAL DE QUEBEC, 26 August 1852.
52. IBID.
53. IBID.
54. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
55. JOURNAL DE QUEBEC, 26 August 1852.
56. IBID.
57. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
58. JOURNAL DE QUEBEC, 26 August 1852.
59. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
60. JOURNAL DE QUEBEC, 26 August 1852.
61. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
62. JOURNAL DE QUEBEC, 26 August 1852.
63. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
64. JOURNAL DE QUEBEC, 26 August 1852.
65. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
66. JOURNAL DE QUEBEC, 26 August 1852.
67. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
68. JOURNAL DE QUEBEC, 26 August 1852.
69. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
70. JOURNAL DE QUEBEC, 26 August 1852.
71. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
72. JOURNAL DE QUEBEC, 26 August 1852.
73. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.

74. JOURNAL DE QUEBEC, 26 August 1852.
75. IBID.
76. IBID. LA MINERVE, 28 August 1852, commented that "M. Boulton ... comme la sangsue d'Horace, fit souffrir son auditoire pendant environ deux heures et demie", and added that Mr. Boulton "parle avec une assurance qui tient de l'effronterie ... mais il n'est pas besoin de dire qu'il est presque constamment en dehors de la question."
77. LA MINERVE, 28 August 1852.
78. IBID.
79. IBID.
80. IBID., which added: "Il est aisé de concevoir que la tâche n'eût pas été facile."
81. LA MINERVE, 28 August 1852, contained the following commentary on Mr. Rose's speech: "M. Rose est un cultivateur. Il parle avec un grand bon sens; et on voit, que c'est un homme habitué aux affaires, et qui a étudié les hommes et les choses." LA MINERVE also noted that "M. Rose parla ... pendant environ une heure," while EXAMINER, 1 September 1852, reported that he spoke "for half an hour," and MORNING CHRONICLE, 25 August 1852, and NORTH AMERICAN, 31 August 1852, noted that his speech lasted "some three hours."
82. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
83. JOURNAL DE QUEBEC, 26 August 1852.
84. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
85. IBID.
86. LA MINERVE, 28 August 1852.
87. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
88. L'AVENIR, 1 September 1852.
89. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
90. L'AVENIR, 1 September 1852, which commented: "Le feu de fanatisme de la vieille loyauté bretonne avait galvanisé les vieux membres du représentant d'Hamilton et sa voix avait recouvré son ancienne vigueur."
91. The following papers reported the debate on this matter in identical accounts: QUEBEC GAZETTE, 25 August 1852, MORNING CHRONICLE, 25 August 1852, MONTREAL GAZETTE, 27 August 1852, HAMILTON SPECTATOR DAILY, 30 August 1852 (which copied from MORNING CHRONICLE), NORTH AMERICAN SEMI-WEEKLY, 31 August 1852, BRITISH COLONIST, 31 August 1852, and HAMILTON SPECTATOR WEEKLY, 2 September 1852; JOURNAL DE QUEBEC, 26 August 1852, and LE PAYS, 1 September 1852; LA MINERVE, 28 August 1852, and L'AVENIR, 1 September 1852. The debate was also reported by BRITISH WHIG, 25 August 1852; and EXAMINER, 1 September 1852.
92. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
93. IBID.
94. IBID.
95. IBID.
96. JOURNAL DE QUEBEC, 26 August 1852.
97. JOURNAL DE QUEBEC, 26 August 1852, noted that: "La séance se lève à 10 heures et demie du soir."
98. The following papers reported this withdrawn motion in identical accounts: MORNING CHRONICLE, 25 August 1852, MONTREAL GAZETTE, 27 August 1852, HAMILTON SPECTATOR DAILY, 30 August 1852, BRITISH COLONIST, 31 August 1852, NORTH AMERICAN SEMI-WEEKLY, 31 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, NORTH AMERICAN, 2 September 1852, and LA MINERVE, 28 August 1852.
99. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. IBID.

105. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 25 August 1852, MONTREAL GAZETTE, 27 August 1852, HAMILTON
SPECTATOR DAILY, 30 August 1852, BRITISH COLONIST, 31 August 1852, NORTH
AMERICAN SEMI-WEEKLY, 31 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September
1852, and BATHURST COURIER, 3 September 1852.
106. NORTH AMERICAN SEMI-WEEKLY, 31 August 1852.
107. IBID.

WEDNESDAY, 25 AUGUST 1852.

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THE following Petitions were severally brought up, and laid on the table:--

By Mr. Boulton,--The Petition of the Toronto, Simcoe and Huron Railroad Union Company.

By Mr. Jobin,--The Petition of Charles H. Lussier, Head-Teacher of the Educational Association of Three Rivers.

By Mr. Valois,--The Petition of Exercin Charlebois and others, of the Village of St. Henri des Tanneries des Rollands; the Petition of Maurice Goujon and others, of Côteau St. Pierre and other places in the Parish of Montreal; and the Petition of the Reverend Antoine Duranseau and others, of the Parish of Lachine.

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By Mr. Lemieux,--The Petition of A. Ross and others, of the Township of Frampton.

By Mr. Burnham,--The Petition of J.D. Goslee and others, of the Township of Cramahé.

By Mr. Cartier,--The Petition of Mrs. Julie Sicard and Mrs. Rose Moraud, formerly of Beloeil, in the District of Montreal.

By Mr. Fergusson,--Two Petitions of the Municipality of the Township of Guelph.

By Mr. Polette,--The Petition of the Municipal Council of the Town of Three Rivers.

By the Honorable Mr. LaTerrière,--The Petition of Charles Pentland and others, of Tadousac and other Townships.

By Mr. Sanborn,--The Petition of R.D. Morkill and others, Trustees of the Sherbrooke Academy.

By Mr. Laurin,--The Petition of Gédéon Durocher and Augustin St. Louis, Esquires.

By Mr. Christie of Wentworth,--The Petition of John Smith and others, of the Village of St. George, Township of South Dumfries; the Petition of William Clarke, Chairman, and Charles Clarke, Secretary, on behalf of a meeting of the Inhabitants of the County of Wellington; and the Petition of Mrs. Martha J. Waterous and others, of the Town of Brantford.

Pursuant to the Order of the day, the following Petitions were read:--

Of Joseph Cauchon, of the City of Quebec, Advocate, and Representative of the County of Montmorency in the Legislative Assembly of the Province of Canada; setting forth: That at the time of the late Election which took place in the County of Montmorency, for the choice of a Representative for the said County to serve in the Legislative Assembly of this Province, Louis Célestin Lefrançois, Esquire, Notary, Registrar for the first Division of the said County of Montmorency, was appointed by the Government to discharge the office of Returning Officer in and for the said County of Montmorency: That the Petitioner and Germain Guay, Esquire, Notary, both canvassed the suffrages of the Electors of the said County, about the period of the said last Election: That the said Louis Célestin Lefrançois, in his capacity aforesaid of Returning Officer, acted with partiality in opposition to the interests of the Petitioner, and on divers occasions gave judgment against the Petitioner in favor of the other candidate, the said Germain Guay: That the said Louis Célestin Lefrançois, in his said capacity of Returning Officer, by his words, speeches, and other means, persuaded or endeavored to persuade the Electors of the said County to vote against the Petitioner in favor of the said Germain Guay: That the said Louis Célestin Lefrançois, personally, or through the intervention of his friends, agents or servants, threatened or caused to be threatened, many of the Electors of the said County of Montmorency who were indebted to him, that he would institute legal proceedings against them for the recovery of the sums due to him by them, if they did not record their votes against the Petitioner, and

that the said Louis Célestin Lefrançois used his influence as a creditor, in order to control the votes of the Electors of the said County who were indebted to him, and known to be favorable to the Return of the Petitioner: That the said Louis Célestin Lefrançois, in his said capacity of Returning Officer, offered or caused to be offered, the office of Deputy Returning Officer, during the said Election, to influential persons in the said County, to induce the said persons to procure votes in favor of the said Germain Guay: That the Petitioner has every reason to believe, and does sincerely believe, that the said Louis Célestin Lefrançois was the cause of the contestation which took place at the Election in the said County as aforesaid, and that he made use of his influence as a public officer, and as a creditor, to gratify his personal hatred against

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the Petitioner, and with a view to profit and lucre; and praying that the House will be pleased to summon the said Louis Célestin Lefrançois to appear at the Bar of the House, and there to render an account of his conduct as Returning Officer during the said Election for the County of Montmorency, and to answer to the allegations of the present Petition which the Petitioner offers to prove, whenever required so to do by the House.

Of the Municipal Council of the County of Simcoe; praying that the jurisdiction of the County Courts may be extended.

Of the Municipal Council of the County of Simcoe; praying that they may have the control of all County expenditures which they are called upon to sanction, and that the Act 13 & 14 Vic. Cap. 48, may be amended with reference thereto.

Of the Municipal Council of the County of Simcoe; praying that the jurisdiction of Division Courts may be further extended.

Of the Municipal Council of the County of Simcoe; praying the adoption of certain measures for the Registration of Births, Marriages and Deaths.

Of John Little and others, of the Townships of Mulmur and Torsoranto; praying that measures be adopted to determine certain disputes existing between inhabitants of the Townships of Mulmur, Mono, Torsoranto and Adjala, as to the boundaries thereof.

Of Allan Macdonell and others, of the City of Toronto; praying for the passing of an Act of Incorporation to enable them to construct a Ship Canal around the Sault de Ste. Marie.

Of the Municipal Council of the County of Terrebonne; praying for aid in behalf of the College Masson.

Of the Municipal Council of the County of Terrebonne; praying for aid in behalf of the Petit Seminaire de Ste. Thérèse de Blainville.

Of the Reverend T.B. Pelletier and others, of the Parish of St. Louis de Terrebonne, proprietors of the College Masson; praying aid in behalf of that Institution.

Of the Right Reverend the Roman Catholic Bishop of Montreal and others, Members of the Corporation of the College of Ste. Thérèse de Blainville; praying aid in behalf thereof.

Of the Municipal Council of the United Counties of Lanark and Renfrew; praying that a loan of £75,000 may be granted to the Bytown and Prescott Railroad Company to aid in the construction of the said Railroad.

Of the Municipal Council of the United Counties of Lanark and Renfrew; suggesting that the Clergy Reserves be appropriated to Common School purposes.

Of the Municipal Council of the United Counties of Lanark and Renfrew; praying for the amendment of the Jury Law of Upper Canada.

Of the Municipal Council of the United Counties of Lanark and Renfrew; praying that the duties now performed by the Revenue Inspectors may be transferred to the several Municipalities, and that the duties of County Inspectors of Taverns, Stills, Shop Licenses, &c., may be intrusted to Township Inspectors.

Of the Municipal Council of the County of Rimouski, Number one; praying for

the division of the said County, for Parliamentary purposes, and that the District Town of the District of Kamouraska may be removed to a more central position.

Of the Municipality of the Township of Guelph; recommending the adoption of decided and urgent measures for the secularisation of the Clergy Reserves, and the settlement of the Clergy Reserve and Rectory questions.

Of Sister E. Bruyère and others, Nuns, on behalf of the Communauté des Révérendes Sœurs de la Charité at Bytown; praying aid to enable them to carry into effective operation the General Hospital at Bytown.

Of the Reverend P. Aubert and others, Priests, residing on the Ottawa; praying aid in behalf of the College at Bytown.

Of Joseph Aumond, Esquire, and others, of the County of Ottawa; praying for

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the construction of a Canal of dimensions similar to the St. Lawrence Canals, to connect the waters of the River of St. Lawrence with those of Lake Champlain.

Of Peter Aylen and others, of the District of Ottawa; praying for the construction of a Canal to connect the Great Chaudière and Chats Lakes.

Of William P. McLaren and others; praying an Act of Incorporation for the construction of a Railroad from the Town of Goderich to the most convenient point of intersection of the Great Western Railroad.

Of Edmund Ritchie and others; praying for the passing of an Act to revive the "Act to incorporate a Company to extend the Great Western Railroad from Hamilton to Toronto," or otherwise to pass an Act incorporating them as "The Hamilton and Toronto Railroad Company."

Of Isaac Buchanan, Esquire, and others; praying for the passing of an Act of Incorporation to enable them to construct a Railroad from the Town of Guelph, to connect with the Great Western Railroad at the Town of Galt.

Of Robert McKee and others, of the sixth Concession of the Township of Hamilton, County of Northumberland; praying that the existing division line between the sixth and seventh Concessions of the said Township may not be altered.

Of the Municipal Council of the United Counties of Northumberland and Durham; representing certain inconveniences arising out of the Municipal and other Acts.

Of the Municipal Council of the United Counties of Northumberland and Durham; praying for a reduction of the Taxes levied under the Act 13 & 14 Vic. cap. 48, to defray the cost of the erection of the Lunatic Asylum, and other Public Buildings in Upper Canada.

Of the Municipal Council of the United Counties of York, Ontario, and Peel; praying for the passing of an Act to confirm the By-Laws passed by the late Municipal Council of the Home District for establishing Roads, and all the By-Laws of the Township Municipalities in the said Counties passed for the same purpose.

Of the Municipal Council of the United Counties of York, Ontario, and Peel; praying for the adoption of measures to secure a uniform Geological and Descriptive Survey of new Townships, and to facilitate the early settlement thereof.

Of the Municipal Council of the United Counties of York, Ontario, and Peel; praying for certain amendments to the Laws now in force relating to Juries, the licensing of Public Houses, Fees of Registration, expenses of the Board of Public Instruction, the administration of Justice, and the Municipal Council Act.

Of Thomas Wightman, Moderator, and others, on behalf of the Synod of the Presbyterian Church in Canada; praying that measures be adopted to prohibit the importation, manufacture and sale of intoxicating drinks, except for medicinal and mechanical purposes.

Of Thomas Wightman, Moderator, and others, on behalf of the Synod of the Presbyterian Church in Canada; praying the adoption of measures to prevent the desecration of the Sabbath, by carrying the mails and traffic through the Canals on that day.

Of the Reverend William Jones and others, of the Township of Farnham; praying the adoption of measures for the abolition of labor on the Lord's Day in con-

nection with the Postal Department of the public service.

Of James Hamilton and others, Trustees of the late Peter H. Hamilton, Esquire, of the City of Hamilton; praying for the passing of an Act granting to them in their said capacity, a certain part of the Road allowance between Lots 14 and 15, fourth Concession of the Township of Barton.

Of the Reverend J.D. Deziel, and other Priests; setting forth that they represent many Churches and Church-buildings, and praying for an Act incorporating them as a Mutual Insurance Company for the better security thereof.

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Of M. Baret and others, Censitaires of the Seigniorship of Ste. Magdelaine de Rigaud, County of Vaudreuil; praying for the passing of an Act to define the rights and privileges of Seigniors, and to provide equitable recourse in certain cases.

Of Frederic Tremblay, of the Parish of St. Irénée, County of Saguenay; praying indemnity for loss sustained by him as Contractor for the construction of that part of the Road between the said County and the District of Quebec, called "Chemin des Caps."

Of William Atkinson and others, Officers of the St. Catharines Mechanics' Institute; praying for aid in behalf of the said Institution.

Of the Reverend George Willson, Moderator, and the Reverend J.E. Ryerson, Clerk, of the Eastern Baptist Association; praying that the Clergy Reserve Lands may be sold, and the proceeds appropriated to purposes of general education.

Of Richard Hutchinson and others, Members of the Second Advent Conference; praying for the passing of an Act to authorize any Ordained Minister of Adventists in Canada East, being a subject of Her Majesty, to baptize, solemnize marriages, bury dead, and keep Registers thereof, and that such Registers be of like effect as those kept by any other Priest or Minister of Religion in Canada East.

Of Anson Beebe and others, of the Valley of the Magog, in the Eastern Townships of Lower Canada; praying aid for the construction of a Road from Lake Mémphramagog to the Town of Sherbrooke.

Of J.O. Bouchier and others, of the Township of Georgina, County of Ontario; praying that the said Township be disunited from the County of Ontario and annexed to the County of York.

Of J.O. Bouchier and others, Reeves and Deputy Reeves of the Townships in the United Counties of York, Ontario, and Peel; praying that the Township of Georgina be disunited from the County of Ontario and annexed to the County of York.

Ordered, That the Petition of Isaac Buchanan, Esquire, and others; the Petition of Edmund Ritchie and others; and the Petition of William P. McLaren and others, be referred to the Standing Committee on Standing Orders.

Ordered, That Mr. Cauchon have leave to bring in a Bill to extend the provisions of an Act, intituled, "An Act for better securing the independence of the Legislative Assembly of this Province."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Cauchon have leave to bring in a Bill to amend the Act incorporating the Bar of Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

DR. FORTIER¹ moved the appointment of a Committee to enquire into the system upon which Lands have been conceded and sold in the Townships of Lower Canada, and into the causes which obstruct the settlements of the said Townships², avec privilège de faire rapport par bill ou autrement.³

MR. AT. GEN. DRUMMOND recommanda à Mr. Fortier de retrancher le mot par bill car le gouvernement se proposait de présenter un projet de loi pour remédier aux abus des grandes propriétés non cultivées dans les townships.⁴

MR. PROV. SEC. MORIN dit que c'était une mauvaise coutume que de rapporter par bill sur des mesures d'intérêt public et que le comité pourrait soumettre ses opinions à la chambre.⁵

MESSRS. SMITH and SANBORN s'opposent à la nomination d'un comité à ce sujet disant qu'il y avait eu des comités de nommés tous les ans depuis longtemps, qu'il était temps de législater sur cette question sans avoir besoin d'autres renseignements.⁶

MR. CHABOT dit qu'il est inutile de nommer un comité d'après les explications du ministère et que la cause qui nuit aux townships est bien connue, c'est le manque de chemins.⁷

MESSRS. CAUCHON and CHABOT disent aussi quelques mots sur la question.⁸

DR. FORTIER retranche le mot bill et le comité est nommé.⁹

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Mr. Fortier moved, seconded by Mr. McDougall, and the Question being put, That a Select Committee, composed of Mr. Polette, Mr. McDougall, Mr. Lemieux, Mr. Jobin, Mr. Sanborn, Mr. Terrill, Mr. Clapham, the Honorable Mr. LaTerrière, and the mover, be appointed to enquire into the system upon which Lands have been conceded and sold in the Townships of Lower Canada, and into the causes which obstruct the settlement of the said Townships, and to report the best mode for correcting existing abuses; with power to send for persons, papers, and records, and to report from time to time: the House divided:--And it was resolved in the Affirmative.

Ordered, That Mr. Laurin have leave to bring in a Bill to regulate the business of Stevedore in the Port of Quebec.

MR. LAURIN¹⁰ moved the first reading of a Bill to regulate the office of Stevedores in the Port of Quebec. He expressed that it was a measure to arrange the manner in which stevedores should be employed; their rates of payment, and a fund for the sick.¹¹

MESSRS. CHRISTIE and DUBORD declared their opinion that the trade of Quebec was altogether opposed to the measure¹².

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He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Ordered, That Mr. Stevenson have leave to bring in a Bill to supply an omission in Schedule B to the Act to amend the Upper Canada Municipal Corporations Law Amendment Act of 1850.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

On motion of Mr. Mackenzie, seconded by Mr. Wright of the East Riding of York, Ordered, That it shall be the duty of the Clerk to make and cause to be printed and delivered to each Member, at the commencement of every Session of the Legislature, a List of the Reports or other periodical Statements which it is the duty of any Officer or Department of the Government, or any Bank or other corporate body, to make to the Legislative Assembly, referring to the Act or Resolution, and page of the volume of the Laws or Journals in which it may be contained, and placing under the name of each Officer or Corporation a List of Reports or Returns required of him, or if to be made, and the time when the Report or periodical Statement may

be expected.

Ordered, That the said Order be a Standing Order of this House.

Ordered, That the Honorable Mr. LaTerrière have leave to bring in a Bill to amend the Law relative to the practice of Physic, Surgery and Midwifery in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

The Order of the day being read, for resuming the adjourned Debate upon the Question which was yesterday proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently rec-

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ognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction

of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled districts:

That this House will consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the produc-

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tions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its

important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good;

*And the Question being again proposed:--The House resumed the said adjourned Debate.*¹³

The adjourned debate was then resumed by SIR A. MACNAB.¹⁴ Ce monsieur s'est borné a désavouer encore une fois les opinions exprimées la veille par M. Boulton¹⁵. He [then] said that great changes had taken place since the last meeting of Parliament, in the composition of the ministry. Among other changes was that of the Solicitor General, West, which office, according to the rumours circulated by the Friends of Mr. Speaker, that gentleman had vacated because he could not continue with honour to occupy it. He had hoped there was some gentleman on the floor of the House, who would be in a position to explain this. It was also due to the House and country that the Inspector General should explain all these changes, & if he followed British precedent he would have seized the first opportunity to do so, and to define the policy which he intended to adopt. He was always ready if he could to assent to the speech from the throne and would do so now but for one paragraph¹⁶ de ce discours. Mais comment se fail-il que les ministres se fiant sur leur majorité, ont inséré dans les résolutions qui nous sont soumises, des expressions de leur regret de la conduite du ministère impérial, expressions qu'ils n'ont pas osé mettre dans la bouche du gouverneur.¹⁷ Le discours annonce que des dépêches sur les réserves du clergé seront soumises à la chambre tandis que la réponse regrette que le parlement impérial n'ait pas législaté sur ce sujet.¹⁸ J'espère que l'administration expliquera sa position en temps propre pour me permettre de faire à ce sujet les remarques que je croirai convenables. Je déclare cependant que je n'ai pas l'intention de proposer aucun amendement aux résolutions.¹⁹

MR. INSP. GEN. HINCKS²⁰ se leva pour répondre à la question posée au gouvernement²¹. [He] said that he willingly responded to the appeal made by the hon. and gallant knight, the member for the City of Hamilton, that he should explain to the House the circumstances connected with the formation of the administration. He had been fully prepared to make explanations during the present debate, but he was under the impression that the proper time for doing so was after the hon. and gallant knight, as leader of the opposition, had announced the course which he intended to pursue with reference to the address. He, however, was ready to bow to the great parliamentary experience of the hon. member. The House would recollect that during the last session, and not long before its close, an hon. and learned friend of his (Mr. Baldwin) then member for the North Riding of York, had tendered his resignation. At that time it had been publicly declared by another hon. friend of his, the leader of the Government (Mr. Lafontaine), that it was his intention to retire from public life at the close²² of the then expiring session²³ of ... Parliament. Under these circumstances, as a change of administration must take place in a few weeks, it was not deemed expedient to advise the Governor General to fill up the vacant office of Attorney General. Within a very short time after the close of the session, Mr. Lafontaine tendered his resignation, and at the same time the other members of the late Government also tendered their resignations, all which having been accepted, the Governor General had done him (the Inspector General) in concert with his hon. and learned friend beside him (the Provincial Secretary), the high honour to take his advice with reference to the construction of a new administration,²⁴ and they tendered their advice.²⁵ During the late parliament the administration had been honoured with the cordial support of a large majority of the Representatives for Lower Canada. And his hon. friend and himself naturally wished to secure the assistance of as many members as possible of the late administration²⁶ which was the ground for bringing more Lower Canadian members from the Lower House into the Cabinet.²⁷ But both his hon. friend and himself entirely concurred in the opinion that it was essentially necessary that

the Government should be more strongly represented in the Legislative Assembly. The office of Speaker of the Legislative Council had for some years been political, and it was not thought advisable to change its tenure. The incumbent had been generally in the Cabinet, though not uniformly. It was deemed of importance, with a view to the strength of the administration, to secure the assistance of his hon. and learned colleague the Speaker of the Legislative Council, and if his hon. friend had proposed to constitute the Lower Canada section of the administration by seeking aid from members of the late Government alone, there would have been four members of the Cabinet from Lower Canada in the Legislative Council, and only one in that House. He (the Inspector General) would repeat, that to such an arrangement both his hon. and learned friend and himself had decided objections, and when called on to advise the Governor General with reference to the construction of the administration, they felt it their duty to endeavour to obtain the assistance of two members of the House in the Cabinet. He (the Inspector General) need scarcely say, that his hon. and learned friend (the Provincial Secretary) entertained the same opinion that he and every one of his former colleagues did, with regard to the public services and political integrity of the hon. gentlemen who had been in the late administration and had not been included in the present one. He (the Inspector General) had parted with those gentlemen with the deepest regret. He entertained for them sentiments of the highest esteem. He had no means of knowing whether their continued services could have been secured in the Government, but for the reasons which he had stated, his hon. friend and himself had felt it impossible consistently with their views of public duty to make the attempt. In determining as to the construction of the Upper Canada section of the administration, he was influenced by a desire to strengthen the Government in the opinion of the great liberal party with which he had long had the honour to act. It was well known that during the late session of Parliament that party had been much divided. Misunderstandings had unfortunately arisen, and influential men between whom no essential difference of opinion existed, such as to prevent their co-operation in the public service, had become alienated. He had felt it to be his duty, to endeavour to secure as far as possible unity in the party²⁸, en y appelant des hommes jouissant de la confiance de cette section du parti, qui différait d'opinion d'avec celui de l'administration précédente, sur des sujets de peu d'importance en eux-mêmes²⁹, and he knew that his efforts for this object were approved of by every man in Upper Canada entertaining liberal principles. Great efforts had been made³⁰ by Messrs. Mackenzie and Brown³¹ to excite a feeling of distrust with regard to himself but he was aware that those who entertained such feelings towards him from a misapprehension as to his views, had entire confidence in his hon. and learned friend the Commissioner of Crown Lands. He had discussed with his hon. and learned friend, the leading political questions, and he found such a concurrence of opinion as to lead him to believe that he could cordially co-operate with him in the promotion of the public interest. Reference had been made to some difficulties, not of a political character, which had been experienced at the formation of the administration--and particularly to those connected with the non-acceptance of office by the hon. and learned Speaker. He (the Inspector General) was placed in a most delicate position in having to offer explanations on such a subject, while the hon. and learned Speaker was in the chair, and precluded from taking a part in the discussion. No one could value more highly than he did the influence of the hon. and learned Speaker, and he certainly was most anxious to have obtained his assistance. Unfortunately, in making political arrangements it became necessary to call on professional men to take office out of their profession, and which they could only do at a great sacrifice.--Having determined to offer office both to the honorable and learned Speaker, and to his honourable and learned friend the Attorney General, he, acting under a very serious responsibility, had considered that the best arrangement for the public interests would be, that the hon. and learned Speaker should fill the

office of Commissioner of Crown Lands, and that Mr. Richards should fill that of Attorney General. The hon. and learned Speaker having determined, on his own responsibility, not to take office out of his profession, declined the offer made to him; and, accordingly, other arrangements had to be made. When these arrangements were considered, unfortunately his hon. friend the Postmaster General had left town, and he (the Inspector General) in concert with his hon. colleague the Provincial Secretary, was obliged, without consulting him, to complete them. The office assigned to Mr. Morris was that of Commissioner of Crown Lands, to Mr. Cameron that of Postmaster General, and to Dr. Rolph that of President of the Council. Mr. Cameron left Toronto with that understanding; but a difficulty arose from his friend the Postmaster General being unwilling to accept any office but that of Postmaster General. This rendered it necessary for him (the Inspector General) to request his hon. friend's presence in Toronto, when the Cabinet was finally arranged; Mr. Rolph taking the Crown lands, and the office of President of the Council being assigned to Mr. Cameron. In the meantime, that gentleman had left town for the West, and there was a difficulty in communicating with him. His hon. friend (Mr. Morin) was obliged to leave for Lower Canada to make arrangements there, and soon after the Governor General removed to Quebec. As was well known to the House, Mr. Cameron had declined at first to accept the office assigned to him, believing that he could not employ his time advantageously to the public service. On that point he (the Inspector General) differed in opinion from his hon. friend, being decidedly of opinion that his talents might be most advantageously employed in the office in question. It was, however, impossible at the time to hold personal communication with his hon. friend, and the dissolution of Parliament took place before any arrangement could be effected. As the sole difficulty in the way was the doubt whether his time could be advantageously employed in the public service, it was deemed expedient to charge him with new duties, which might be performed with great advantage to the public. Frequent complaints had been made from time to time that no member was specially charged with looking after the interests of the agriculturist, than which none could be more worthy of consideration. It had been found, by practical experience, that the Ministers comprising the Board of Statistics were so occupied with the duties of other departments, that they were unable to devote the necessary attention to that important subject. Again, the importance of devising measures to encourage Immigration by the St. Lawrence, was admitted on all hands, and it was felt that it might be advisable to throw a special responsibility on some member of the Cabinet. His hon. friend, the President of the Council, when he found that his services could be made available to the public in a position that he felt that he could be useful, did not hesitate to give his assistance to the Administration. He (the Inspector General) had the satisfaction to state that the utmost cordiality prevailed among the members of the Government, and as much unanimity of sentiment as could be found among any similar body of men. It was, of course, not to be expected that on such an occasion as the present, he could be called on to enter into a detailed statement of the views of Government on all the questions likely to come before Parliament. The views of the Government, however, could not be concealed, even if there were any desire that they should be. The hon. members for Haldimand and Kent would take good care to elicit the views of Government on every topic on which any difference of opinion existed among the members of the party.--While, however, he (the Inspector General) was not prepared³² [and] he did not think it necessary³³ on such an occasion, to enter at length into all the disputed political questions, there was one of prominent importance which had been referred to by the hon. and gallant knight, the member for Hamilton, and regarding which he was charged by the hon. and learned member for the city of Toronto with desiring to conceal his opinions--he meant the Clergy Reserves question. Now, he (the Inspector General) denied that he was justly chargeable with any concealment on this subject. On all suitable occasions, he had frankly expressed his views to his constituents,

and since he entered into public life, fourteen years ago he had never wavered on the subject.--Those views might be very briefly explained. He was in favour of the repeal of the Imperial Act, and of Provincial legislation, and he was also in favour of the secularization of the Reserves. (Cheers.) He was fully convinced that in no other way could the question be finally settled. It would, if any attempts were made to settle it otherwise, lead to continued agitation, at the hazard of the peace of the country. (Cheers.) The hon. and gallant knight had taken exception to the language of the resolution, which expressed a regret not to be found in the Speech, and which he said the advisers of His Excellency would not have ventured to advise him to express. Most assuredly neither he (the Inspector General) nor his colleagues would have advised His Excellency to express regret, in a Speech from the Throne at any decision arrived at by the Imperial Ministers to whom His Excellency is responsible, and whose commands, given in her Majesty's name, he is bound to obey. Such a case as the present could not arise where a Speech was prepared for an Imperial Parliament. A difference of opinion existed between the Imperial and Provincial Government on an important question, and, however high the respect in which he (the Inspector General) held Her Majesty's Imperial Ministers, yet it was his duty to give effect to the wishes of the people to whom he was responsible.³⁴ He did not, therefore, think it proper to put into the mouth of the Governor General expressions of regret at the conduct of that ministry. But the case was different with the Canadian ministry, who were not responsible to the British ministry, and might, therefore, properly express their views. (Laughter.)³⁵ An Address had passed the two houses of the Legislature, during its last session, praying that a Bill might be introduced into the Imperial Parliament to repeal the Clergy Reserves Act. That step had not been taken.-- Surely this was a subject for regret. It did not follow that very sufficient reasons might not have existed for not introducing that measure. He (the Inspector General) knew well that the Bill could not have been passed during the last session, even had Her Majesty's ministers been prepared to recommend such a step. But still its failure must be considered a subject of deep regret to the people of this Province. Without entering at present into detail, he would say that on the question he was entirely with the great majority of the people. He would be prepared to take these steps which had become necessary, in order to press the settlement of the question on Her Majesty's Ministers and the Imperial Parliament.³⁶ Gentlemen might smile and think responsible government had come to a dead lock because British precedent could not be followed here, but he thought it would be found that this was not the case. At any rate, while he held his place as a Canadian minister, being as much a minister of the crown as Lord Derby was, he would never consider for one moment what might be the opinion of any British minister. There was, doubtless, a difference of opinion in this respect, between the British and colonial ministers; and, with all respect he thought the views of the Imperial ministry unconstitutional, and such as ought to be combatted on all suitable occasions. He felt bold to say that if hon. members from Upper Canada would give time to the ministry, that ministry would not be found unworthy of the confidence reposed in them.³⁷ And he entertained no doubt that if the proceedings were conducted with prudence and unanimity, we should be successful.³⁸ He then turned to the speech of the ... member for Toronto³⁹. The hon. and learned member ... had entered at great length into the consideration of the speech from the throne, and he (the Inspector General) would not be treating that hon. gentleman with the courtesy which he wished to extend to him at all times, were he not to notice at some length the observations which had fallen from him. The hon. gentleman had expressed surprise that the speech should refer to the tranquility of the Province-- a tranquility which he compared to that of death. And he said that the Province had been always tranquil. He (the Inspector General) would ask whether it had been tranquil in 1849--(hear, hear)--or whether there had ever been a general election in the Province, the proceedings during which had been so peaceably con-

ducted. (Hear, hear.) The hon. gentleman denied that the country was prosperous and particularly adverted to the position of the Provincial securities, and to their price at various periods, ... making insinuations against the eminent commercial firms by whom the financial business of the Province had long been conducted. The joint agents of the Province, it was well known, are Messrs. Baring Bros. & Co. and Messrs. Glyn Mills & Co., of whom it was sufficient for him to say, that they were at the head of the honorable class of British merchants --a class distinguished throughout the world for their honor and integrity,⁴⁰ though they had been held up by the hon. member as sharpers. Out of the House these insinuations had been carried still farther, and men whom he would not condescend to mention in that House had dared to represent that he had received a bribe from these gentlemen.⁴¹

MR. BOULTON declared that he had cast no insinuation upon the Inspector General or Messrs. Baring.⁴²

MR. INSP. GEN. HINCKS⁴³ well⁴⁴ knew the suspicions which were entertained of public men in this country but for his own part, he defied them, & he defied any one to show that while he edited an opposition journal he had ever made similar insinuations against political opponents. At any rate the Province had ample security for honest dealing, while its financial concerns were managed by British merchants, connected with the aristocracy, who had an hereditary name for uprightness which they would lose their arm rather than sully. He then explained that bonds quoted in the circulars were sold by retail, and of course higher than the wholesale price, given by dealers who bought them with the risk of loss as well as chance of profit.⁴⁵ He was surprised at some of the insinuations made against these firms, with reference to the price of our securities. With regard to the negotiation of loans, so far as he (the Inspector General) was concerned a very simple statement would suffice. When he came into office in 1848, he found the Province in serious financial difficulty, owing to the impossibility of negotiating those loans which had been sanctioned by the Legislature, and on the faith of which public works had been proceeded with under contracts then existing, and which could only have been broken up at great loss to the Province. It had been found necessary, in order to sustain the government in these circumstances, to issue an inconvertible paper currency, which though it answered the purpose for the time, it was very desirable to call in as early as possible. When in England in 1849, it was found impossible, owing to the disturbances which had taken place and which had materially affected the public credit, to negotiate our securities. The annexation movement followed, and as an abortive attempt to negotiate a loan would have been very injurious, it was deemed advisable to wait [for] a more favourable opportunity. Temporary loans were, however, offered both by Messrs. Barings and Messrs. Glynn & Co. to enable the Province to meet any further difficulty. Under such circumstances, hon. gentlemen would perceive that the moment that the loan could be placed at par, it was desirable to obtain it. Far from shewing any anxiety to obtain these bonds, he (the Inspector General) repeatedly urged upon Messrs. Barings to bring it into market before he was able to persuade them to make the attempt. At last it was offered to the public and taken, and soon after the bonds began to rise, going up gradually and fluctuating from 4 to 6 or 7 premium, including the current dividend, which ought always to be taken into account in estimating the premium. Since that period he had negotiated no loan. However, the St. Lawrence and Atlantic Railroad Company, through their agent, had since that time, about September last, negotiated £100,000. It was his (the Inspector General's) opinion that the arrangement had been a most advantageous one for the company. The bonds were sold at 3 premium. Now if the hon. and learned member imagined that in negotiating a large loan and taking the risk of the rise or fall of the bonds, capitalists would give the full price at which a bond of £500 or £1000 might be sold in the market, when applied for by a party for investment, all he

(the Inspector General) could say was, that he knew little of the matter. It was now nearly twelve months since these bonds had been sold, and since that period money had become more abundant, all stock had increased in value, and moreover, there was increased confidence in the resources of the Province, and in the stability of our institutions. It was singular, indeed, that the gratifying circumstance that our securities had increased in value, should be made the ground of insinuations against those who either purchased or negotiated them when they were thought less of. He (the Insp. Genl.) repeated, that we were in the hands of gentlemen in London of the highest honor. One of these gentlemen, Mr. Baring, was a member of a family that for several generations had maintained the very highest position in the commercial world. And it was fortunate, perhaps, considering the ungenerous suspicions frequently entertained against public men in this country, that the character of the Provincial agents prevented the possibility of any kind of jobbing. Insinuations or rather open charges, had been made against him, (the Inspector General) with reference to these transactions. He treated them with utter contempt, so far as he was concerned, and he felt assured that they were not countenanced by his political opponents. He would now proceed to the remarks made with reference to the prosperity of the Province.⁴⁶ To reply to Mr. Boulton's statement about imports and exports, and his conclusions drawn therefrom he read from Bastiats work on political economy a very amusing refutation of the old idea that an excess of imports over exports was a proof of want of prosperity. The gentleman might try to frighten the people of the country about the sacrifice market as much as he pleased; but the Province would never be any poorer --if it should happen--because her neighbours sacrificed their goods for less than they were worth. He did not believe the hon. member himself, would scruple at all, to purchase any article he could get for less than it cost to make it. He then replied to Mr. Merritt's statements that the importation of goods from England was decreasing and those from the United States increasing⁴⁷.

MR. MERRITT here rose and said that he had asserted that the importations from England had not increased in the same proportion as from the United States.⁴⁸

MR. INSP. GEN. HINCKS said that he perfectly understood the remarks of the hon. member. He had discussed the subject with him last year, and proved then that he was in error in a comparison between 1849 and 1850. He would now prove him in error on a comparison between 1850 and 1851. The total imports in 1850 were £4,245,517; and in 1851 £5,358,697. The imports from Great Britain in 1850 were £2,407,980; and in 1851 £3,012,088. From the United States in 1850, £1,648,715; and in 1851, £2,091,441. It must be observed with reference to the increased trade with the United States, that it was the natural result of the liberal policy adopted towards that country when the differential duties and other restrictions were taken off. At one time all our teas and many other foreign commodities, were imported from the bonded warehouses in England. These articles are now imported direct from the foreign countries where they are produced, direct or through the United States. Of the articles subject to specific duties, consisting of tea, sugar, coffee, tobacco, wines, and spirits, &c., the import in 1850 was £651,245; and in 1851, £743,267; of this last amount, £86,332 came from Britain, and £495,622 from the United States, while £87,640 came direct from foreign countries, and £70,763 from the B.N.A. Colonies. He (the Inspector General) however, would take the leading manufactured articles, and examine the comparative imports from the two countries. The great British staple was the cotton manufacture. Now, in 1851 there were £741,292 of cotton imported from England, and £234,680 from the United States. The next important staple was woollens, of them the total import in 1850 was £548,344 in 1851, £732,916; from England in 1850, £432,556; in 1851, £163,143. The import of iron manufactures

was, from England £227,919 in 1850; £316,902 in 1851; from the United States £98,362 in 1850; £144,745 in 1851. In the articles paying $2\frac{1}{2}$ per cent, duty, principally raw materials used in manufactures, the import from Great Britain was in 1850, £234,018; and, in 1851, £350,372; while from the United States there was in 1850, £154,023; and in 1851, £161,389. It was most gratifying to observe the increase in the importations of these articles, which was conclusive evidence of the prosperous state of our manufacturing interest. Another proof of our prosperity was the increased import of articles of luxury, silk manufactures from Britain had increased from £98,256 in 1850, to £156,961 in 1851; nearly 60 per cent, while from the United States they had decreased from £37,657 to £35,602. Again, linen manufactures had increased from £58,455 in 1850 to £102,436 in 1851. These facts would, in his (the Inspector General's) opinion, be sufficient to convince the House of the fallacy of the hon. member for Lincoln's opinion, that the trade with Great Britain was steadily declining. On another point he was at issue with that hon. gentleman. It was constantly asserted that the duties were higher in this Province than in the United States.--Now he (the Inspector General) would test the truth of the statement by a simple process. If the aggregate imports of the United States, be taken for the last year, and the aggregate duties collected there would be found that the latter amounted to $22\frac{1}{2}$ per cent, on the former. Taking the aggregate imports into Canada in 1851, and the duties collected thereof, they would be found to be about $13\frac{1}{2}$ per cent. The difference, $8\frac{1}{2}$ per cent, on our imports, would be about £450,000, sufficient to pay all our local taxes. But then, it was contended that our tariff was badly arranged, and the hon. member for Haldimand, who professed to be a free trader, was incessantly complaining of the taxes on the tea, coffee, and other necessities of the farmer. Now, he, (the Inspector General) would put it to the farmers in that House, who were gentlemen of great intelligence, whether they were not benefitted by paying revenue duties on these articles instead of having an increased duty on manufactures, the effect of which would be to subject them to an indirect tax for the benefit of the manufacturers, on all goods manufactured in the province. He (the Inspector General) had shown that the aggregate duties paid, are less than in the United States, and the effect of changing the mode of charging them would unquestionably be to increase prices to the consumer.⁴⁹ He condemned as an outrageous proposition the recommendation of the hon. member for Lincoln to ask the farmers of Canada to put their hands into their pockets, for bounties to pay fishermen to go and catch fish. He said that he did not deem it necessary to follow the hon. member for Toronto in his remarks upon the state of the Province and the comparison he had made between Canada and the United States. With respect to expenditure, the revenue of Canada was applied to many purposes, to which the revenue of the United States was not, and similar purposes in the States had to be provided for by direct taxation. The government of one of the separate states was more like one of our large municipalities, than that of this Province. With respect to banking capital, there was quite sufficient in Canada for the needs of the people.⁵⁰ With these observations he (the Inspector General) would ... [leave] this branch of the speech of the hon. and learned member for Toronto. Although he had already gone at some length into the subject of the Clergy Reserves, in reference to the speech of the hon. and gallant knight, yet he could not pass over the very extraordinary remarks on the subject of the hon. and learned member for Toronto. That hon. member had long been known as the especial champion of the interests of the church, and yet he had declared that the present distribution of the Reserves under the imperial act, was most improper, and such as he and a large portion of the members of that church could not tolerate. The hon. member was for the voluntary principle in all large towns, and would give the Reserves to the rural districts. But he (the Inspector General) would ask the hon. and learned member, whether, in order to carry out his wishes it would not be necessary to repeal the imperial act. (Hear, hear.) At present a society in London distributes

these Reserves, and there was not much chance of its changing the distribution to please the hon. and learned member. The Right Reverend Prelate, the Bishop of Toronto, was certainly not of the same opinion with the hon. member, or he could easily induce the society in London to carry any reform of the kind indicated into effect. It was clear then, that the act must be repealed; and moreover, it would soon be found that even Her Majesty's present government admitted that the present law would have to be altered. Let this then be admitted, and he (the Inspector General) would appeal to any hon. member in this House with a spark of Canadian feeling in his breast, and would ask whether there was one of them who would consent that this measure affecting our local interests should be legislated on by the Imperial Parliament. (Cries of hear.) He would appeal to the independent conservative members, to the hon. and learned member for Welland, the hon. member for Peterborough, the hon. member for Middlesex, and would ask them whether they as Canadians were prepared to⁵¹ sacrifice a great Canadian principle for a local interest? Their birthright for a mess of pottage?⁵² Let them not, in the vain hope that a settlement more agreeable to these wishes might be effected through the instrumentality of the Imperial Parliament, consent to sacrifice the constitutional rights of their fellow countrymen. (Hear and cheers.) He (the Inspector General) could have no doubt that the House would act on the important question with unanimity; and he would warn hon. gentlemen, that if they should take the side against their country, and consent to sacrifice her rights, they would probably find that they had made a sacrifice in vain. If, notwithstanding their vote, the question should be placed at the disposal of the Canadian people--⁵³

SIR A. MACNAB: They would be sold.⁵⁴

MR. INSP. GEN. HINCKS: Yes, he thanked the hon. and gallant knight, for the hint, they would indeed be sold. (Laughter.) Before concluding, he (the Inspector General) would briefly notice the remarks of the hon. and learned member for Toronto, on the passage in the speech, relative to the Lunatic Asylum, and in connection with which he had glanced at other charitable institutions. He (the Inspector General) had always given the learned member credit for his exertions in behalf of the unfortunate clauses referred to; but he was bound in justice to the late administration to say, that they were not indisposed to act, when possessed of the necessary information to enable them to do so. It was desirable to ascertain from the census the number of these unfortunates, and to give much consideration to the best mode of effecting the object. As the subject would have to be considered at another time, he need not dwell on it at present. He had now only to thank the House, for its indulgence, and to apologize for having so long trespassed on its attention.⁵⁵

MR. H. SMITH, de Frontenac, suivit ensuite⁵⁶. [He] did not so much complain of what the Speech from the throne contained, as what it did not contain. It literally had nothing in it. In contained nothing new except a reference to the increase of the representation. It was not a speech which the country had a right to expect from a reform ministry. He alluded to the retirement of Mr. Baldwin from the cabinet. That was owing to a defeat, which nearly defeated the whole ministry, on the subject of Chancery reform. The same subject engrossed much attention in England, now, also in this country, and in these circumstances he (Mr. S.) thought the subject should have been alluded to in the speech of a reform administration from the throne.⁵⁷ L'inspecteur-général n'a pas répondu à une question bien simple qui lui a été faite, celle de faire connaître les principes sur lesquels l'administration actuelle a été formée. Quand il vous a proposé, monsieur, pour être le président de cette chambre, il a parlé longuement de vos sentiments réformistes; je m'attendais donc avec raison que le discours contiendrait quelques phrases sur la réforme et le progrès. Pourquoi n'a-t-il pas expliqué comment il se fait que le représentant de Huron (M. Cameron) siège au banc des ministres, remplissant les devoirs de président du conseil exécutif, après avoir

déclaré dans les termes les plus énergiques que l'office de président de ce même conseil exécutif était parfaitement inutile et un gaspillage d'argent?

Et comment se fait-il que vous, M. le représentant de Huron, avez sacrifié les principes que vous émettiez hautement et partout pour entrer dans une administration formée par un homme dont vous vous étiez séparé parce qu'il ne partageait pas vos idées?

M. l'orateur, je n'appuierai jamais une administration qui sacrifie ses principes pour s'adjoindre quelqu'un comme l'a fait l'administration actuelle, et le pays, j'en suis sûr, ne l'appuiera pas plus que nous! Encore une question. Pourquoi l'orateur de cette chambre, solliciteur-général pour le Haut-Canada, sous la dernière administration, n'est-il pas procureur-général dans l'administration présente? Pourquoi ne lui a-t-on pas offert la place de procureur-général dans l'administration actuelle? On ne répond pas à cette question, mais on vient nous dire, M. l'orateur, que vous avez refusé la place de commissaire des terres pour suivre votre profession!⁵⁸ He contended with respect to the bureau of agriculture that the people of the country would never consent to sanction the creation of an office for providing a place for a minister, but he had no objection to voting money for the promotion of agriculture. He censured the appointment of several of the new ministers; and particularly the appointment of Dr. Ford as a book keeper in the Crown Lands Department.⁵⁹ Quelles qualifications possède le commissaire des terres pour remplir les devoirs de cette charge importante? Qui le connaît? Qui en a entendu parler depuis 15 ans? Où l'a-t-on pris, et pourquoi l'a-t-on choisi pour faire partie du gouvernement? Qu'on réponde à ces questions.

Comment le bureau des terres est-il rempli? Non content d'y placer un médecin pour chef, on y a ajouté un médecin (M. Ford) pour y tenir les livres! En vérité, voilà un teneur de livres bien qualifié.⁶⁰ Il ... se prononça fortement contre telle pratique qui remplirait les bureaux publics d'hommes non qualifiés aux affaires.⁶¹ The Inspector General's cabinet was composed of men who had advocated every shade of political opinions, and was of the most incongruous materials.⁶² Pourquoi n'a-t-il pas expliqué les motifs qui ont engagé plusieurs de ses anciens collègues dans la dernière administration à l'abandonner, ou pourquoi il s'est séparé d'eux? ... Pourquoi n'a-t-il pas expliqué la variété de doctrines représentées dans le cabinet actuel? Je ne pourrais m'expliquer comment il se fait qu'on ait choisi, malgré son peu d'expérience parlementaire, le représentant de Leeds, pour en faire le procureur-général du Haut-Canada; mais on m'a dit depuis qu'il y avait une alliance entre les représentants de Huron et de Norfolk et le procureur-général, que pour avoir l'un d'eux dans l'administration il fallait nécessairement subir les deux autres.⁶³ He had understood that a difference existed in the cabinet with respect to the line the trunk railway should take, between Montreal and Kingston; and it was known there was a desire on the part of the Government, to take that railway out of the hands of the present incorporate company to give it to the great railway man, Mr. Jackson. But he hoped that such a proposition would never be acceded to. He believed that Mr. Jackson had made so much money out of the contract for the Quebec and Richmond Railroad, that he was anxious to make those of the whole Province. He had understood that the trunk railway might be made for half the sum that Mr. Jackson received for the Quebec and Richmond railway. He went on to make some farther remarks condemnatory of the composition of the ministry.⁶⁴ Le pays est mécontent de la conduite de l'inspecteur-général en Angleterre. Pour le plaisir de faire parade de pétulance, il a sacrifié une entreprise aussi magnifique qu'importante, le chemin de fer de Québec à Halifax.⁶⁵ He censured the Inspector General for his petulant letter to Sir J.S. Pakington.⁶⁶

MR. MACKENZIE commenced by remarking upon the Oxford election and the part that he had taken in it. He created much laughter in his remarks upon this subject, and read some extracts from the Examiner of 1841, which he stated were written by Mr. Hincks. Referring to his expulsion from the Upper Canadian par-

liament on a motion of the hon. member from Hamilton, he said that that was owing to sympathy he expressed for the popular party in Lower Canada. He felt that sympathy yet. The speech from the throne he would treat as a document of the ministry, not as the speech of His Excellency. He took up the paragraph relating to representation, and complained that the Inspector General had changed his mind since he edited the Examiner, also that the Provincial Secretary had changed his mind. An increase of the representation was not so much needed as an equalization of it. He wished to have the representation based upon the only proper basis of population. He complained of the inconvenient time at which parliament had been called together: he would rather see the time for the meeting of parliament fixed by law. The meeting of all the legislatures on this continent took place in the winter, which was manifestly the most convenient time. Referring to the proposed Halifax railway, he admitted that great advantages might be derived from it, especially in connection with an improved system of navigation between England and Halifax; and he did not think from what he had so far seen, that the Inspector General had done justice to the project in his mission to England.

From his (Mr. Mackenzie's) experience of Earl Derby he believed him to be a man of very easy access, and would not be likely to forget himself. The hon. member went on to remark upon different kinds of aristocracy, and the Bishop of Toronto. He said the Bishop was an astute Scotchman, and had changed from a poor religion to a rich one, and had made money by it. The hon. member went on to speak at great length on various subjects. The reporter found it impossible to note the whole of what he said, and his remarks from their discursive nature were nearly impossible to condense. He went on to say that⁶⁷ avant de me rendre ici, j'avais entendu dire qu'on devait améliorer la constitution du conseil législatif; mais c'était, je suppose, de la blague (humbug). Le fait est que le discours d'ouverture n'est autre chose que de la blague. Il n'est pas même grammatical,⁶⁸ for the House was sometimes put in the singular and sometimes in the plural, and sometimes you could not tell whether the house was intended or the population. In 1828, a report of the British House of Commons, proposed that the Canadas should have agents to represent them⁶⁹ dans la mère-patrie⁷⁰ but instead of that we now had the Inspector General running from Washington to London, and doing nothing. He found nothing about the appointment of agents in the speech, nor anything practical about emigration. To promote emigration it was of no use to make railways and canals; but lands must be made as cheap as in the States: and now about prosperity--talk about prosperity⁷¹. Est-ce un pays prospère que celui dont le gouvernement refuse de seconder les efforts du peuple pour la colonisation du pays? Est-ce un pays prospère que celui que la jeunesse abandonne par milliers chaque année?

A l'appui de ce qu'il vient de dire, l'hon. membre cite le pamphlet sur la colonisation, publié par 12 missionnaires catholiques romains des townships de l'Est.⁷² What was the meaning of the applications last year on the part of the seigniors, for compensation for wild lands that they had held since the French administration.--What was the meaning of the French emigration to Vermont and the other States?⁷³ Qu'on vienne maintenant nous vanter la prospérité du pays.⁷⁴ In 1837 the Seigniors were true to the Government; but the censitaires were not; and why not? Because they had been always kept down, and because justice was not done them. The hon. Mr. Young represented the interests of Montreal and last year got the government to change the law about the railways--he had since been chairman of the Board of works; the seventh chairman in seven years.--However he had got \$16,000 merely for going to Toronto and getting this little thing done. Mr. Mackenzie proceeded to speak of the Post office revenue, which he said he was glad to see increasing; but this was done by screwing down the employees, & after all there were more Post Offices in the State of Maine than in all Canada put together. All that was said about the communication with Europe was good, and he desired to see every facility for intercourse with Europe; but he contended that the habitans

were the best people in the world--and as to being priest-ridden, he thought they were no more so than any other people. The next thing was the decimal currency, and it appeared that like everything else, the simple bill of last session was to be kicked over. So with the municipal debts; they must be tinkered up because the hon. member for Hamilton had a quantity of bonds for the western railroad, out of which at present, he could make nothing. He had told the Inspector General that he wanted to be on the Committee of Accounts, because he wanted to look sharp after⁷⁵ la manière dont l'argent public était employé ... et ... pour examiner minutieusement ces comptes⁷⁶. They had, however, taken good care to keep him off. He next complained of the weight of Customs duties on many articles, which he said were levied for the purposes of corruption. If he turned printer again he would have to pay 12½ per cent on his types and paper. The trade of the St. Lawrence, he proceeded to say, was being given away, while that by the States was increasing; and for this the government was as much to blame as for the rest. As to the hon. Inspector's free trade, his free trade consisted in making every thing as dear as possible. He had travelled through the agricultural districts of Canada in 1831, and got up petitions from all parts of the country. He wanted the same thing done now, in order that old men like him might, before they went below the seat do some good for that large population of boys and girls, who were now growing up. Let all do their best in the House and government and, his life for it, Providence would find a way to give this country a splendid termination.⁷⁷

MR. PROV. SEC. MORIN⁷⁸ prit ensuite la parole. M. l'Orateur: La position que j'ai l'honneur d'occuper dans cette chambre ne me permet pas de rester muet dans cette circonstance et je n'apporterai aucune hésitation à me conformer à l'usage qui fait que les ministres de la couronne sont en quelque sorte appelés, en cette occasion, à donner devant leur pays des explications sur leur conduite, et à faire connaître les vues du gouvernement sur les questions d'une importance générale.

Je ne suis pas de ceux qui repoussent les formes parlementaires. Le discours du trône, et la réponse d'usage n'ont rien qui répugne aux idées de liberté, et de progrès; la discussion qu'ils provoquent offre une excellente occasion de considérer l'état du pays, et elle peut être d'un grand avantage, à l'ouverture de chaque session, mais surtout à l'ouverture d'un parlement. Alors, chacun communique ses craintes, ses espérances; si un pareil secours n'existait pas, combien n'y aurait-il pas de travaux infructueux, d'opposition sans but? quels moyens aurions-nous de connaître les intentions, les projets de ceux avec qui nous devons nous concerter pour diriger les affaires du pays?

Il est d'usage que le discours du trône fasse mention des sujets les plus importants, mais on comprend qu'il ne saurait embrasser tous les sujets, puisqu'alors il comprendrait toute la session; on emploierait deux ou trois mois à le discuter. Je sais qu'il est d'usage pour l'opposition de dire que le discours du trône ne contient rien d'important; mais cette assertion ne saurait jamais être strictement vraie; elle ne l'est certainement pas dans le cas présent. Le discours fait mention des sujets les plus importants qui peuvent occuper l'attention des chambres; si nous en avons omis, ce n'est pas sciemment. On ne pouvait espérer non plus que les sujets seraient traités dans tous leurs détails. Il suffisait d'en faire mention de manière à faire connaître les vues et les intentions du gouvernement. C'est ce que nous nous sommes efforcés de faire.

En vue de ce discours, je ne pense pas qu'il fut nécessaire de demander sur quels principes l'administration actuelle a été formée.⁷⁹ La politique de l'administration, les vues qu'elle entretient, [sont] basées sur le principe qui a servi de fondement à la formation du gouvernement actuel.⁸⁰ Cependant, il n'est pas hors de propos ici d'expliquer les changemens qui ont eu lieu depuis la dernière session, dans le personnel de l'administration⁸¹ [et] les circonstances qui les ont placés au pouvoir.⁸² Mon hon. ami qui siège à ma gauche (M. Hincks) ayant

été appelé par Son Excellence, dans des circonstances auxquelles ce monsieur a déjà fait allusion⁸³--la résignation de la dernière administration⁸⁴--à former l'administration, j'ai été appelé à me joindre à lui pour effectuer le même objet. La plus grande proximité du lieu où siégeait alors le gouvernement, a fait qu'il s'est trouvé avant moi en rapport avec Son Excellence, et ses lumières, ses talents, son expérience, on fait qu'il a dû avoir une plus grande part que moi dans la formation du ministère, mais je dois dire cependant que⁸⁵ nous avons tous deux agi de concert et en parfaite harmonie et sans mal-entendu quelconque, dans la formation du ministère actuel⁸⁶ et que j'ai toujours été prêt et que je suis encore prêt à prendre toute la responsabilité de ce qui a été fait. Quant à ce qui a eu lieu précédemment, je n'en suis responsable que comme ayant été un des soutiens de l'administration alors existante.

Si l'on veut savoir quelles sont nos vues, je dirai: voyez quels sont mes collègues. Quelques-uns ont fait partie de l'administration qui a précédé celle-ci, d'autres leur ont été adjoints qui jouissaient de la confiance d'une portion importante du peuple de ce pays. Mais nous avons toujours agi de concert jusqu'aujourd'hui, nous agissons encore de concert, la plus parfaite unanimité règne encore entre nous. Cette déclaration doit suffire pour rassurer tous les amis de la réforme et du progrès.⁸⁷ Nous sommes résolus à employer toutes nos forces, toute notre énergie dans la cause de la réforme et du progrès, et pour faire le plus grand bien ... [au] plus grand nombre⁸⁸. Mais il faut remarquer que les sociétés humaines ne se perfectionnent pas dans un instant; ce n'est que par degrés que l'on parvient à obtenir les améliorations politiques et sociales. Mais on doit espérer beaucoup de l'adoption sincère des principes de gouvernement actuellement reconnus dans ce pays. Tout ce que peuvent faire les hommes dans notre position c'est de consulter l'opinion publique et agir avec elle.⁸⁹ Pour obtenir ce résultat, si désirable, nous avons besoin de l'appui de cette chambre. Nous avons besoin des avis de nos amis pour nous aider, nous encourager de leurs sages et bienveillants conseils; nous avons besoin des avis de nos ennemis politiques pour nous faire connaître nos omissions ou nos erreurs.⁹⁰ Il y aura toujours il est vrai, des espérances déçues; il est impossible que chacun réalise tous ses projets; la même chose existe sous toutes les formes de gouvernement. Toutefois notre constitution nous offre un remède; s'il y a parmi vous des hommes en qui vous ayez plus de confiance qu'en nous pour aviser le gouverneur, appelez-les au pouvoir; nous n'hésiterons pas à leur céder nos places? Si vous avez confiance en nous, nous n'abuserons pas de cette confiance, nous serons toujours prêts à agir, malgré toutes les difficultés, pour le plus grand bien du plus grand nombre. Nous accueillerons avec joie et reconnaissance les conseils donnés avec sincérité, et nous les suivrons, chaque fois qu'il sera en notre pouvoir de le faire.

Un gouvernement fondé sur ces principes ne peut, ce me semble, manquer d'avoir l'appui d'un peuple honnête, de tous les amis des réformes, de tous les amis de la liberté et du pays.

M. Morin entra ensuite dans des explications plus détaillées sur la formation de l'administration⁹¹. Je dois dire ici les motifs qui m'ont engagé à faire partie de l'administration. Un de mes collègues a expliqué ce qui avait eu lieu pour le Haut-Canada, et j'ai concouru pleinement dans tout ce qui a été fait à l'égard de cette section de la province. Quant au Bas-Canada, j'ai donné à Son Excellence, le gouverneur, le meilleur avis alors possible.⁹² Concernant la composition du ministère⁹³ j'aurais désiré ne pas entrer dans l'administration. Mes anciens amis avaient, plus que moi, droit à prendre un siège dans le cabinet.⁹⁴ Il rendit hommage au patriotisme éprouvé et aux longs services des membres de la dernière administration et en particulier de ceux que des circonstances majeures et le besoin d'amener principalement la discussion et la responsabilité par rapport à plusieurs départemens dans la chambre d'assemblée, avaient empêchés de faire partie de la nouvelle organisation.⁹⁵ C'est par mon avis que les membres qui composent la

section du ministère pour le Bas-Canada, y ont été appelés. Seul membre de cette chambre dans le cabinet, je n'aurais pu conduire les affaires du Bas-Canada. Il me fallait de l'aide, car cette tâche était au-dessus de mes forces. J'ai donc dû alors faire entrer dans l'administration deux membres du conseil législatif; car même avec l'aide puissant de mon honorable ami le procureur-général du Bas-Canada, je ne pouvais dignement et efficacement représenter le peuple de cette section de la province. C'est pour avoir l'aide d'un autre membre de cette chambre que le représentant de Montréal (M. Young) a été nommé commissaire des travaux publics. Quoique je ne sois pas responsable des nominations faites dans le Haut-Canada, je déclare néanmoins que je les approuve. Ces arrangements divers ont fait un tout capable dans mon opinion de faire marcher les affaires du pays jusqu'à ce que des hommes plus capables soient appelés par la confiance publique à former une autre administration.⁹⁶ Le nombre de mesures indiquées dans le discours du trône est assez considérable pour convaincre cette chambre que notre désir n'est pas de demeurer oisifs.⁹⁷ Un de mes collègues a déjà parlé des finances du pays⁹⁸. Je laisserai à d'autres à vous parler des chemins de fer et de tout ce qui concerne les améliorations publiques. Je dois dire que sur ce sujet, comme sur les autres, l'administration a fait, dans mon opinion, ce qu'elle devait faire; et je n'ai aucun doute que les résultats qui seront obtenus ne soient avantageux.⁹⁹ Quant aux réserves du clergé, il n'est pas exact de dire que¹⁰⁰ [c'est] une question entièrement haut-canadienne. Lorsqu'on a approprié un septième des terres incultes sous le nom de réserves du clergé, les terres incultes du Bas-Canada ne furent pas exceptées.¹⁰¹ Je suis bien loin d'être socialiste, de demander la spoliation de droits acquis.¹⁰² Cette appropriation a été faite en apparence dans des vues religieuses, mais l'on n'était point mû par des principes d'égalité.¹⁰³ Dans mon opinion, cette appropriation n'aurait jamais dû être faite, du moins, elle aurait dû être faite avec justice pour toutes les dénominations religieuses. Je désire que nous nous libérions des réserves par des moyens honnêtes, justes et conformes au respect pour les droits acquis. Je suis étonné qu'on nous refuse, en Angleterre, le droit de législater sur nos affaires locales; et surtout sur la question des réserves qui certainement est une affaire locale.¹⁰⁴ De là le manque irrémédiable de confiance dans ce qui a eu lieu. Il faut pourtant sortir d'embarras. En législatant sur cette importante question, il faut consulter la population du pays. Mais on peut être sûr qu'aucune idée socialiste ne présidera au règlement de cette question.

Mais ce que personne ne révoque en doute, c'est qu'une législation est nécessaire sur ce sujet; il ne faut pas que le peuple demeure plus longtemps dans l'incertitude.

Mais un autre principe qui n'est pas moins important, c'est que cette question ne doit pas être soustraite à la législation de la législature provinciale. Le gouvernement impérial ne saurait être plus compétent à régler cette question que ne l'est le gouvernement du pays. Si toutefois il manifestait l'intention de s'immiscer ainsi dans nos affaires, je n'hésite pas à dire que je suis prêt comme mon hon. collègue qui m'a précédé (M. Hincks) à défendre notre droit de législater pour l'administration de nos affaires locales.

Je dois aussi dire un mot de la question de la représentation.¹⁰⁵ Dans un pays de plusieurs milliers de lieues longueur, il doit se rencontrer un grand nombre de besoins qui ne sont pas représentés dans cette chambre à cause du petit nombre des représentants de chaque section de la province.¹⁰⁶ Il est admis depuis longtemps que le nombre de représentants dans l'assemblée législative de cette province est trop limité; une augmentation de la représentation offrirait de grands avantages: les besoins du peuple seraient mieux connus et sa voix se ferait entendre avec encore plus de respect.¹⁰⁷ Je n'ai aucune objection à ce que la représentation¹⁰⁸ de chaque localité¹⁰⁹ soit basée¹¹⁰ autant que possible sur la population¹¹¹, dans chaque section de la province, mais jamais je ne consentirai à ce qu'on abolisse l'égalité dans la représentation qui règne aujourd'hui entre les deux sections de

la province.¹¹² Chaque province doit avoir le même nombre de représentants.¹¹³ Tout le monde sait que l'union a été imposée au Bas-Canada sans son consentement¹¹⁴. Si plus tard nous avons consenti à faire fonctionner ce système, c'est que nous avons cru après mûre délibération, qu'il pouvait en résulter et il en est en effet résulté de grands avantages.¹¹⁵ Ce serait aujourd'hui l'injustice la plus criante que de lui imposer une majorité représentative du Haut-Canada. Quoiqu'il en soit, le courage, l'énergie et la concorde feront bientôt triompher le Bas-Canada des maux résultant de l'acte d'union.¹¹⁶ Mais parce que l'Union a été faite d'une certaine manière, ce n'est pas à dire qu'on pourra la modifier, lorsque la manière dont on l'a effectuée servira à nous protéger.¹¹⁷ Certaines personnes nous parlent sans cesse de la majorité. Ces¹¹⁸ gens qui disent et qui croient que les majorités ont le droit de tout faire, ceux-là sont les niais de la politique, M. l'Orateur.¹¹⁹ Rien de plus absurde que cette doctrine qui substitue la force au droit, qui pose en principe que la majorité a le droit d'imposer ses volontés à la minorité.¹²⁰

Cheers from Lower Canada members.¹²¹

MR. PROV. SEC. MORIN: Une majorité haut-canadienne aurait-elle le droit d'imposer sa volonté au Bas-Canada? Quelles luttes, quels éléments de discorde surgiraient de l'application d'une telle doctrine?¹²² Est-ce donc à dire que si nous étions annexés à l'empire de la Chine, les trois cent millions de régnicoles du céleste empire auraient le droit de nous anéantir? Non, la force n'est pas le droit. Il faut respecter les idées morales, les habitudes, les lois, et même dans un certain degré jusqu'aux préjugés.

Si dans ce pays, il existe sept cent mille habitants qui parle [*sic*] une langue particulière, qui ont des moeurs des habitudes particulières, jamais une majorité, quelque forte qu'on la fasse, n'aura le droit de leur imposer ses volontés! Les gouvernements sont pour protéger les individus, les familles, pour réchauffer la vie, et non imposer la mort. Leur devoir est de détruire les préjugés, de cimenter l'union, la bonne entente entre toutes les classes et toutes les origines, c'est ainsi qu'ils font le bonheur du peuple.

Il y a un autre sujet bien important, dont cette chambre aura à s'occuper, bien qu'il ne soit pas mentionné dans le discours du trône, je veux parler de la question relative à la composition de l'autre branche de la législature, le conseil législatif. S'il n'en a été rien dit dans le discours du trône, c'est¹²³ par suite de circonstances qu'il aurait été injuste, inconvenant et peu sage de faire connaître dans un discours du trône.¹²⁴ La législation sur ce sujet ne dépend pas de nous, mais du parlement impérial. Mais nous aurons à nous occuper de cette question durant le cours de la session, le gouvernement soumettra ses vues, et demandera les conseils, les suggestions des représentants du peuple. Mais c'est une mesure qui ne pourra être adoptée précipitamment; elle devra être considérée mûrement, puisqu'elle doit avoir tant d'influence sur les destinées du pays. Nous n'hésiterons pas à soumettre un plan, et moi pour un¹²⁵, je ne puis que dire que, sur ce sujet, je n'ai point changé d'opinion, quoique l'opinion publique paraisse avoir éprouvé un revirement à cet égard. Sous l'ancienne constitution, les conseils législatifs étaient détestés par ce qu'ils étaient sans cesse en opposition aux vœux du peuple et qu'ils abritaient tous les abus du gouvernement d'alors. Quoique le conseil législatif actuel ait subi des modifications considérables, je ne pense pas qu'il puisse satisfaire bien longtemps encore l'opinion publique. L'administration, pendant le cours de cette session, soumettra à cette chambre un projet pour la constitution de la seconde chambre. Le pays paraît avoir des doutes sur la nécessité et sur le mode de changement à apporter dans la constitution de cette branche de la législature. Nous espérons, nous attendons les lumières de cette chambre¹²⁶ [et] nous sollicitons donc une expression plus décidée d'opinion de la part ... du peuple,¹²⁷ pour nous éclairer sur cet important sujet.¹²⁸ Quelques sujets indiqués d'une manière générale occuperont cependant l'attention de la chambre, tels que

Canaux, steamers, colonisation des terres incultes, &c.¹²⁹ La colonisation, je le déclare, attirera la plus grande attention du gouvernement qui fera tout en son pouvoir pour favoriser cette oeuvre vraiment patriotique.¹³⁰ Pour pouvoir mettre à effet les intentions du gouvernement, à l'égard de ces questions, nous vous demanderons des conseils et de l'argent.¹³¹ Je laisse au procureur-général du Bas-Canada la tâche de traiter la question de la tenure seigneuriale.¹³² [Il] vous entretiendra des intentions du ministère.... Toute ce que je puis vous dire c'est que le gouvernement a une opinion formée et qu'il sera prêt à vous soumettre une mesure sur cet important sujet durant le cours de la session. Elle sera sans doute considérée comme juste envers toutes les parties.¹³³ Néanmoins, tout en voulant rendre justice aux parties intéressées, je dois déclarer que je suis pour une solution prompte de cette question irritante.¹³⁴ On the subject of Lunatic Asylums, he was understood to say that the announcement made by the Commissioners that the Toronto Asylum would be closed to certain persons was made without the knowledge or approbation of Government.¹³⁵ Avant de m'asseoir, je dois répondre à ceux qui nous ont fait la question, au sujet des réserves du clergé; comment ferez-vous si le bureau colonial est contre vous? Comment je ferai? je préférerai mon devoir envers le peuple du pays à l'expression des vues du bureau colonial.¹³⁶ Dans tous les cas de différence d'opinion entre le bureau colonial et le gouvernement du Canada, je suivrai toujours la volonté du peuple et l'avis de ma conscience.¹³⁷ Comment je ferai? Mais est-il juste de chercher ainsi à dissoudre les élémens de la société, et à faire mille suppositions dans l'avenir?¹³⁸ Mais on ne peut supposer raisonnablement que l'Angleterre veuille restreindre la liberté d'un gouvernement auquel elle a accordé le droit de législation exclusif sur ses affaires locales.¹³⁹ The expression of regret at the action of the Imperial Government, which occurred in the answer to the speech, was in his opinion, far from being opposed to responsible Government, the best proof of its being in vigour, since it assumed that the Legislature of Canada had a right to express an opinion and to act upon it, in this as in all other affairs.¹⁴⁰ Il y a pour le pays un remède contre les injustices. Nous avons la liberté des débats, la liberté de la presse, la vérité triomphe et triomphera toujours. Je le dis donc: ce que je ferai? Je résisterai, je représenterai, et la vérité triomphera.¹⁴¹

Mr. Morin was very imperfectly heard in the reporter's gallery. At the close of his remarks, the House adjourned.¹⁴²

(25)

On motion of Mr. Gamble, seconded by the Honorable Mr. Badgley, Ordered, That the Debate be further adjourned until To-morrow; and be then the first Order of the day, after the reading of Petitions.

*Then, on motion of Mr. Lyon, seconded by Mr. Dubord, The House adjourned.*¹⁴³

[NOTICE OF ADDRESS RE: RAILWAY BETWEEN QUEBEC AND HALIFAX.]

Notice of motion was made by MR. ROBINSON for an address to His Excellency, for copies of all correspondence which has passed between the Imperial Government and the Government of this country, referring to the great trunk line of Railway between Quebec and Halifax.¹⁴⁴

[NOTICE OF MOTION RE: CHAMPLAIN AND ST. LAWRENCE RAILROAD.]¹⁴⁵

MR. BADGLEY ... [gave notice of a motion for] a bill to amend the several Acts incorporating the Champlain & St. Lawrence Railroad, and for other purposes.¹⁴⁶

Several other notices of motion were made.¹⁴⁷

[QUESTION AND ANSWER RE: INSPECTION AND REGULATION OF PROVINCIAL INSTITUTIONS.]¹⁴⁸

An enquiry was made by MR. BROWN whether the Government intended to introduce a Bill this Session, providing for the better regulation and inspection of the Jails of this Province; also, whether they propose to recommend the establishment of institutions for the reformation of juvenile offenders, or for the education of the blind, dumb, and idiotic.¹⁴⁹

MR. INSP. GEN. HINCKS stated that the government intended introducing Bills on both the subjects spoken of by the member for Kent.¹⁵⁰ [OR] MR. INSP. GEN. HINCKS in answer to Mr. Brown, stated, that it is not the intention of the government to introduce a Bill this Session providing for the better regulation and inspection of the Gaols of this Province; also, that they do propose to recommend the establishment of institutions for the reformation of Juvenile Offenders, and for the Education of the Blind, Dumb and Idiotic.¹⁵¹

[QUESTION AND ANSWER RE: ESTABLISHMENT OF A NORMAL SCHOOL IN LOWER CANADA.]¹⁵²

MR. BROWN [asked a question.]¹⁵³

MR. PROV. SEC. MORIN stated in answer to Mr. Brown, that steps have been taken to carry into effect the Act of last Session for the establishment of a normal school in Lower Canada.

The Board of Works had been instructed to purchase a building, and it was probable that the High School of Montreal would be used as a Normal School.¹⁵⁴

[QUESTION AND ANSWER RE: ABOLITION OF SEPARATE SCHOOLS.]¹⁵⁵

MR. BROWN asked the ministry whether it is the intention of Government to introduce a measure during this Session for the abolition of separate or sectarian Schools in Upper Canada?¹⁵⁶

MR. INSP. GEN. HINCKS thought that the hon. gentleman's question had rather a wider scope than he intended, but, he (Mr. H.) fancied he understood what the hon. member meant. The Inspector General farther stated, that it was the intention of the government to introduce a bill upon the subject of the School system of Upper Canada, but at that time, before the reply to the address was voted, it was too much to ask the government what its provisions would be.¹⁵⁷

[QUESTION AND ANSWER RE: LEGALITY OF RECTORIES ESTABLISHED BY SIR J. COLBORNE.]¹⁵⁸

MR. BROWN--Question au ministère, quelles mesures ont été prises pour mettre

à exécution l'adresse présentée par cette chambre à Son Excellence le gouverneur-général, durant la dernière session, priant Son Excellence de faire décider la légalité des rectories établies en cette province par Sir John Colborn, et si le gouvernement a maintenant l'intention de poursuivre les dites procédures légales, ou d'abolir les rectories [sic] par quelques dispositions législatives.¹⁵⁹

MR. AT. GEN. RICHARDS stated in answer to Mr. Brown that steps have been taken to carry into effect the Address presented last Session by this House to His Excellency the Governor General, to bring to adjudication the legality of the Rectories established in this Province by Sir. J. Colborne, & that it was the intention of the Government to proceed with the said legal process; and not to abolish the Rectories by Legislative enactment.¹⁶⁰ [OR] Le gouvernement ne se croit pas obligé de répondre à cette question sous sa forme actuelle.¹⁶¹

[QUESTION AND ANSWER RE: LAND GRANTS ON LAKE SUPERIOR FOR MINING PURPOSES.]¹⁶²

MR. ROBINSON enquired of the Ministry if it is the intention of the Government to grant licences for mining purposes on the shores of Lakes Huron and Superior, on more favourable terms than heretofore.¹⁶³

In answer to Mr. Robinson, MR. COM. CR. LANDS ROLPH said, there had been few applications for land grants on Lake Superior since his accession to office. He was willing to reduce the size prescribed to the present limits, and would be glad to concert¹⁶⁴ any scheme with Mr. Robinson¹⁶⁵ [to effect] measures for facilitating land grants in that region¹⁶⁶ [and] to facilitate the granting of licenses.¹⁶⁷

[POSTPONED MOTION RE: MR. JACKSON AND THE QUEBEC AND RICHMOND RAILWAY COMPANY.]¹⁶⁸

MR. BROWN moved an address for copies of agreements between¹⁶⁹ Wm. Jackson Esq.¹⁷⁰ and the Quebec and Richmond Railway Company, and copies of the agreement between the government and the same gentleman.¹⁷¹

MR. INSP. GEN. HINCKS stated that the government had entered into no agreement with Mr. Jackson¹⁷² in regard to the trunk railroad through this Province¹⁷³ but he had no objection that all the correspondence which had taken place between the government and that gentleman should be published.¹⁷⁴

The motion was postponed until to-morrow.¹⁷⁵

FOOTNOTES: 25 AUGUST 1852.

1. The debate on this matter was reported by L'AVENIR, 1 September 1852. The following papers noted the debate in identical accounts, reporting in error that the "motion [was] withdrawn after some conversation:" MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, PILOT, 28 August 1852, and BRITISH WHIG, 1 September 1852.
2. MORNING CHRONICLE, 26 August 1852.
3. L'AVENIR, 1 September 1852.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, PILOT, 28 August 1852, and BRITISH WHIG, 1 September 1852.
11. MORNING CHRONICLE, 26 August 1852.
12. IBID.
13. The following papers reported the debate on this matter in identical accounts: JOURNAL DE QUEBEC, 28 August 1852, and LE PAYS, 1 September 1852. The following papers reported the debate in partially identical accounts: HAMILTON SPECTATOR DAILY, 26, 27 August 1852, BRITISH WHIG, 27 August 1852, MONTREAL GAZETTE, 27 August 1852, PILOT, 27 August 1852, OTTAWA CITIZEN, 28 August 1852, HAMILTON GAZETTE, 30 August 1852, NIAGARA MAIL, 1 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, NORTH AMERICAN, 2 September 1852, BATHURST COURIER, 3 September 1852, and NIAGARA MAIL (Supplement), 8 September 1852; MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, MONTREAL GAZETTE, 28 August 1852, PILOT, 28 August 1852, HAMILTON SPECTATOR DAILY, 31 August 1852 (which copied from MORNING CHRONICLE), BRITISH COLONIST, 31 August 1852, BRITISH WHIG, 1, 3 September 1852, EXAMINER, 1 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, HAMILTON GAZETTE, 2 September 1852, NORTH AMERICAN SEMI-WEEKLY, 3 September 1852, OTTAWA CITIZEN, 4 September 1852, NIAGARA MAIL, 8 September 1852 (which copied from QUEBEC GAZETTE), and NORTH AMERICAN, 9 September 1852. The debate was also reported by LA MINERVE, 28, 31 August 1852; and L'AVENIR, 1 September 1852. The debate was noted by HAMILTON SPECTATOR DAILY, 27 August 1852; and GLOBE, 28 August 1852. Commentaries appeared in: EXAMINER, 1 September 1852; and LA MINERVE, 28 August 1852.
14. MORNING CHRONICLE, 26 August 1852.
15. LA MINERVE, 28 August 1852.
16. MORNING CHRONICLE, 26 August 1852.
17. JOURNAL DE QUEBEC, 28 August 1852.
18. L'AVENIR, 1 September 1852.
19. JOURNAL DE QUEBEC, 28 August 1852.
20. LA MINERVE, 28 August 1852, commented that: "M. Hincks répondit à Sir Allan MacNab ... dans un discours qui dura près de trois heures, mais qui fut d'un bout à l'autre, extrêmement intéressant."
21. L'AVENIR, 1 September 1852.
22. QUEBEC GAZETTE, 27 August 1852.
23. MORNING CHRONICLE, 26 August 1852.
24. QUEBEC GAZETTE, 27 August 1852.
25. MORNING CHRONICLE, 26 August 1852.
26. QUEBEC GAZETTE, 27 August 1852.
27. MORNING CHRONICLE, 26 August 1852.
28. QUEBEC GAZETTE, 27 August 1852.

29. JOURNAL DE QUEBEC, 28 August 1852.
30. QUEBEC GAZETTE, 27 August 1852.
31. MORNING CHRONICLE, 26 August 1852.
32. QUEBEC GAZETTE, 27 August 1852.
33. MORNING CHRONICLE, 26 August 1852.
34. QUEBEC GAZETTE, 27 August 1852.
35. MORNING CHRONICLE, 26 August 1852.
36. QUEBEC GAZETTE, 27 August 1852.
37. MORNING CHRONICLE, 26 August 1852.
38. QUEBEC GAZETTE, 27 August 1852.
39. MORNING CHRONICLE, 26 August 1852.
40. QUEBEC GAZETTE, 27 August 1852.
41. MORNING CHRONICLE, 26 August 1852.
42. IBID.
43. IBID.
44. EXAMINER, 1 September 1852.
45. MORNING CHRONICLE, 26 August 1852.
46. QUEBEC GAZETTE, 27 August 1852.
47. MORNING CHRONICLE, 26 August 1852.
48. QUEBEC GAZETTE, 27 August 1852.
49. IBID.
50. MORNING CHRONICLE, 26 August 1852.
51. QUEBEC GAZETTE, 27 August 1852.
52. MORNING CHRONICLE, 26 August 1852.
53. QUEBEC GAZETTE, 27 August 1852.
54. IBID.
55. IBID.
56. LA MINERVE, 28 August 1852.
57. MORNING CHRONICLE, 26 August 1852.
58. JOURNAL DE QUEBEC, 28 August 1852.
59. MORNING CHRONICLE, 26 August 1852.
60. JOURNAL DE QUEBEC, 28 August 1852.
61. L'AVENIR, 1 September 1852.
62. MORNING CHRONICLE, 26 August 1852.
63. JOURNAL DE QUEBEC, 28 August 1852.
64. MORNING CHRONICLE, 26 August 1852.
65. JOURNAL DE QUEBEC, 28 August 1852.
66. MORNING CHRONICLE, 26 August 1852.
67. IBID.
68. JOURNAL DE QUEBEC, 28 August 1852.
69. MORNING CHRONICLE, 26 August 1852.
70. JOURNAL DE QUEBEC, 28 August 1852.
71. MORNING CHRONICLE, 26 August 1852.
72. JOURNAL DE QUEBEC, 28 August 1852.
73. MORNING CHRONICLE, 26 August 1852.
74. JOURNAL DE QUEBEC, 28 August 1852.
75. MORNING CHRONICLE, 26 August 1852.
76. JOURNAL DE QUEBEC, 28 August 1852.
77. MORNING CHRONICLE, 26 August 1852.
78. LA MINERVE, 28 August 1852, commented that "M. Morin ... parla environ une heure avec cette concision, cette logique, ce jugement qu'on lui connaît.... Le discours ... a produit un effet extraordinaire sur ceux qui ont eu l'avantage de l'entendre."
79. LA MINERVE, 28 August 1852.
80. JOURNAL DE QUEBEC, 28 August 1852.
81. LA MINERVE, 28 August 1852.

82. JOURNAL DE QUEBEC, 28 August 1852.
83. LA MINERVE, 28 August 1852.
84. JOURNAL DE QUEBEC, 28 August 1852.
85. LA MINERVE, 28 August 1852.
86. JOURNAL DE QUEBEC, 28 August 1852.
87. LA MINERVE, 28 August 1852.
88. JOURNAL DE QUEBEC, 28 August 1852.
89. LA MINERVE, 28 August 1852.
90. JOURNAL DE QUEBEC, 28 August 1852.
91. LA MINERVE, 28 August 1852.
92. JOURNAL DE QUEBEC, 28 August 1852.
93. LA MINERVE, 28 August 1852.
94. JOURNAL DE QUEBEC, 28 August 1852.
95. LA MINERVE, 28 August 1852.
96. JOURNAL DE QUEBEC, 28 August 1852.
97. LA MINERVE, 28 August 1852.
98. JOURNAL DE QUEBEC, 28 August 1852.
99. LA MINERVE, 28 August 1852.
100. JOURNAL DE QUEBEC, 28 August 1852.
101. LA MINERVE, 28 August 1852.
102. JOURNAL DE QUEBEC, 28 August 1852.
103. LA MINERVE, 28 August 1852.
104. JOURNAL DE QUEBEC, 28 August 1852.
105. LA MINERVE, 28 August 1852.
106. JOURNAL DE QUEBEC, 28 August, 1852.
107. LA MINERVE, 28 August 1852.
108. JOURNAL DE QUEBEC, 28 August 1852.
109. LA MINERVE, 28 August 1852.
110. JOURNAL DE QUEBEC, 28 August 1852.
111. LA MINERVE, 28 August 1852.
112. JOURNAL DE QUEBEC, 28 August 1852.
113. LA MINERVE, 28 August 1852.
114. JOURNAL DE QUEBEC, 28 August 1852.
115. LA MINERVE, 28 August 1852.
116. JOURNAL DE QUEBEC, 28 August 1852.
117. LA MINERVE, 28 August 1852.
118. JOURNAL DE QUEBEC, 28 August 1852.
119. LA MINERVE, 28 August 1852.
120. JOURNAL DE QUEBEC, 28 August 1852.
121. EXAMINER, 1 September 1852.
122. JOURNAL DE QUEBEC, 28 August 1852.
123. LA MINERVE, 28 August 1852.
124. JOURNAL DE QUEBEC, 28 August 1852.
125. LA MINERVE, 28 August 1852.
126. JOURNAL DE QUEBEC, 28 August 1852.
127. LA MINERVE, 28 August 1852.
128. JOURNAL DE QUEBEC, 28 August 1852.
129. LA MINERVE, 28 August, 1852.
130. JOURNAL DE QUEBEC, 28 August 1852.
131. LA MINERVE, 28 August 1852.
132. JOURNAL DE QUEBEC, 28 August 1852.
133. LA MINERVE, 28 August 1852.
134. JOURNAL DE QUEBEC, 28 August 1852.
135. MORNING CHRONICLE, 26 August 1852.
136. LA MINERVE, 28 August 1852.
137. JOURNAL DE QUEBEC, 28 August 1852.

138. LA MINERVE, 28 August 1852.
139. JOURNAL DE QUEBEC, 28 August 1852.
140. MORNING CHRONICLE, 28 August 1852.
141. LA MINERVE, 28 August 1852.
142. MORNING CHRONICLE, 26 August 1852.
143. LA MINERVE, 28 August 1852, noted that: "Les galeries étaient remplies de spectateurs. Depuis l'ouverture de la session, il y a chaque jour une foule considérable qui se presse pour voir et entendre."
144. QUEBEC GAZETTE, 25 August 1852.
145. The following papers reported this notice of motion in identical accounts: GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, and BATHURST COURIER, 3 September 1852, all noting in error that Mr. Badgley introduced the bill on this date. In fact, he only gave notice of motion for the bill, which was not introduced until 30 August 1852.
146. GLOBE, 26 August 1852.
147. QUEBEC GAZETTE, 25 August 1852.
148. The following papers reported this question and answer in identical accounts: GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT, 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, and BATHURST COURIER, 3 September 1852; MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, MONTREAL GAZETTE, 28 August 1852, and BRITISH WHIG, 1 September 1852. The question and answer were also reported by: QUEBEC GAZETTE, 25 August 1852; and JOURNAL DE QUEBEC, 26 August 1852.
149. QUEBEC GAZETTE, 25 August 1852.
150. IBID.
151. MORNING CHRONICLE, 26 August 1852.
152. The following papers reported this question and answer in identical accounts: GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT, 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, and BATHURST COURIER, 3 September 1852; MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, MONTREAL GAZETTE, 28 August 1852, and BRITISH WHIG, 1 September 1852. The question and answer were also reported by JOURNAL DE QUEBEC, 26 August 1852.
153. MORNING CHRONICLE, 26 August 1852.
154. IBID.
155. The following papers reported this question and answer in identical accounts: MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, MONTREAL GAZETTE, 28 August 1852, PILOT, 28 August 1852, and BRITISH WHIG, 1 September 1852; GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT, 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, and BATHURST COURIER, 3 September 1852. The question and answer were also reported by JOURNAL DE QUEBEC, 26 August 1852.
156. MORNING CHRONICLE, 26 August 1852.
157. IBID.
158. The following papers reported this question and answer in identical accounts: GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT, 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 August 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, and BATHURST COURIER, 3 September 1852; MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, MONTREAL GAZETTE, 28 August 1852, and BRITISH WHIG, 1 September 1852. The question and answer were also reported by JOURNAL DE QUEBEC, 26 August 1852.
159. JOURNAL DE QUEBEC, 26 August 1852.

160. MORNING CHRONICLE, 26 August 1852.
161. JOURNAL DE QUEBEC, 26 August 1852.
162. The following papers reported this question and answer in identical accounts: MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, and BRITISH WHIG, 1 September 1852; GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT, 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, and BATHURST COURIER, 3 September 1852. The question and answer were also reported by JOURNAL DE QUEBEC, 26 August 1852.
163. GLOBE, 26 August 1852.
164. MORNING CHRONICLE, 26 August 1852.
165. GLOBE, 26 August 1852.
166. MORNING CHRONICLE, 26 August 1852.
167. GLOBE, 26 August 1852.
168. The following papers reported this postponed motion in identical accounts: GLOBE, 26 August 1852, BRITISH WHIG, 26 August 1852, PILOT, 26 August 1852, MONTREAL GAZETTE, 26 August 1852, HAMILTON SPECTATOR DAILY, 26 September 1852, and BATHURST COURIER, 3 September 1852; MORNING CHRONICLE, 26 August 1852, QUEBEC GAZETTE, 27 August 1852, MONTREAL GAZETTE, 28 August 1852, and BRITISH WHIG, 1 September 1852. The postponed motion was also reported by QUEBEC GAZETTE, 25 August 1852; and JOURNAL DE QUEBEC, 26 August 1852.
169. MORNING CHRONICLE, 26 August 1852.
170. GLOBE, 26 August 1852.
171. MORNING CHRONICLE, 26 August 1852.
172. IBID.
173. GLOBE, 26 August 1852.
174. MORNING CHRONICLE, 26 August 1852.
175. IBID.

THURSDAY, 26 AUGUST 1852.¹

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MR. SPEAKER laid before the House, a detailed Statement of Bonds and Securities which have been registered to 19th August, 1852, prepared in compliance with the 15th Sec. 4 & 5. Vic. cap. 91.

For the said Statement, see Appendix (F.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Lemieux,--The Petition of J. Rouleau and others, of the Parish of Ste. Claire de Joliet, County of Dorchester; the Petition of the Reverend P.H. Jean and others, Trustees appointed for the construction of an Agricultural and Industrial College in the Parish of Pointe Levi, and others of the said Parish; and the Petition of Pierre Paquet, and others, of the Parish of St. George d'Aubert Gallion, County of Dorchester.

By Mr. Hartman,--The Petition of Edmund Boland and others, of the Townships of Whitchurch and East Guilimbury.

By Mr. Street,--The Petition of the Municipality of the Township of Stamford.

By Mr. Crawford,--The Petition of William Bacon, of the Village of Ogdens-

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burgh, in the State of New York; and the Petition of the Municipal Council of the United Counties of Leeds and Grenville.

By the Honorable Mr. Macdonald,--The Petition of George Tooth, of the City of Quebec.

By Mr. Gamble,--The Petition of Benjamin Pearson and others, of the Township of King.

By Mr. Cauchon,--The Petition of the Reverend A. Gosselin and others, of the Island of Orleans; the Petition of Jean Renaud and others, of the County of Montmorency; and the Petition of W.A. Stewart and others, of the Parishes of Ste. Famille and St. Pierre de l'Isle d'Orleans.

By Mr. McDougall,--The Petition of William Sheppard and others, of Grantham and other Townships.

By Mr. Sicotte,--The Petition of François Daigle and Alexis Dufresne, of the Parish of St. Damase, County of St. Hyacinthe.

By Mr. Ridout,--The Petition of the Corporation of the Toronto House of Industry.

By Mr. Dubord,--The Petition of Joseph Painchaud, Esquire, M.D., and others, of the City of Quebec.

By Mr. Laurin,--The Petition of J.B. Miville de Chêne, of St. Henry, District of Quebec.

Pursuant to the Order of the day, the following Petitions were read:--

Of Jean Langevin, of the City of Quebec, Esquire; representing that he was appointed Clerk to the late Council of the Municipal District of Quebec, and obtained judgment on legal recourse for remuneration for his services therein, but that in consequence of a subsequent general Act of Parliament he was prevented from enforcing the said judgment; and praying relief in the premises.

Of the Reverend P. de Villers and others, of the Townships of Arthabaska and Chester, County of Drummond; praying for aid to improve the Gosford and Blandford Roads, and to construct a Bridge across the River Bécancour, and that they be placed under the supervision of the Board of Works.

Of Charles Ménard and others, of Beauport and other Parishes, County of Quebec; praying that the Bourg-Royal Road, from where it joins the Beauport Road to the distance of three miles and a half, may be placed under the control of the Commissioners of the Quebec Turnpike Trust.

Of William McBain and others, of the Settlement of Valcartier and other places; praying for the passing of an Act to authorize the Commissioners of the Quebec

Turnpike Trust to raise a certain sum of money for the construction of a Road and Bridge leading from the Parish of St. Ambroise, County of Quebec, to the north side of the River Jacques Cartier.

Of the Municipal Council of the County of Quebec; praying for the passing of an Act to authorize the Commissioners of the Quebec Turnpike Trust, to construct a Road and Bridge leading from the Parish of St. Ambroise to the north side of the River Jacques Cartier.

Of the Corporation of St. Viateur; praying for aid in behalf thereof.

Of the Corporation of the College of St. Pierre de Chambly; praying for aid in behalf of the said Institution.

Of the Municipal Council of the United Counties of Northumberland and Durham; praying that the Jurors Acts 13 & 14 Vic. and 14 & 15 Vic. may be so amended as to lessen the costs attendant thereon.

On Jean F. Caron, of the Parish of St. Jean Port Joli; representing his past services as Captain of Militia, and his present indigence and helplessness; and praying relief.

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Of the President, Directors and Company of Port Burwell Harbour; praying certain amendments to their Act of Incorporation.

Of the Reverend Z. Sirois and others, of the Parishes of St. Pierre and St. Francois de la Rivière du Sud, in the Counties of L'Islet and Bellechasse; praying aid for the opening and construction of a Road through the said Parishes.

Of William Henderson, Esquire, and others, of the Township of Standon, District of Quebec; praying aid for the construction of a Bridge over the River L'Eau Chaude.

Of the Municipality of the United Townships of Dalhousie, North Sherbrooke, and Lavant; praying that the Clergy Reserves and Rectories may be devoted to the support of Common Schools.

Of Thomas Wightman, Moderator, and others, on behalf the Synod of the Presbyterian Church of Canada; praying that the Ministers of the said Church may be placed on an equality, in regard to the performance of the marriage ceremony, with Ministers of the Church of England and Rome, and for a reduction of the present Fee on Marriage Licenses.

Of Thomas Wightman, Moderator, and others, on behalf of the Synod of the Presbyterian Church of Canada; praying that the Act 12 Vic. cap 22, may be so amended as to relieve Protestants from the observance of Ecclesiastical Holidays of the Church of Rome therein mentioned.

Of the Municipal Council of the County of Kent; praying that the Jurors' Acts 13 & 14 Vic. and 14 & 15 Vic. may be so amended as to lessen the costs attendant thereon.

Of the Municipal Council of the County of Kent; praying for the passing of an Act to confirm certain By-Laws of the late Western District Municipal Council imposing a certain tax on wild lands in the said District.

Of the Municipal Council of the County of Kent; praying that the Petition of certain inhabitants of the Township of Romney to be disunited from the Township of Tilbury East, may be granted.

Of the Municipal Council of the County of Hastings; praying for certain amendments to the Jury Law.

Of the Municipal Council of the County of Hastings; praying for the repeal of certain Orders in Council relating to the cutting of Timber on Crown Lands, and the adoption of more equitable regulations with reference thereto.

Of the Municipal Council of the County of Hastings; praying for the construction of a Canal at Presqu'Isle to connect the waters of the Bay of Quinté with those of Lake Ontario.

Of the Municipal Council of the United Counties of Leeds and Grenville; praying that the Law may be so amended that the payment of Jurors and all other expenses of the Administration of Criminal Justice in Upper Canada may be made out

of the Consolidated Revenue Fund.

Of the Reverend M.J.E. Chevigny and others, on behalf of the Academy of St. Henry, District of Montreal; praying aid in behalf thereof.

Of the Bank of Montreal; praying for the passing of an Act to increase the Capital Stock thereof, and to make such Shares of the said Bank as are owned in Europe transferable in Great Britain.

Of the St. Lawrence and Atlantic Railroad Company; praying certain amendments to their Act of Incorporation, and to the Act amending the same.

Of the Municipal Council of the County of Oxford; praying for the passing of an Act to confirm certain By-Laws of the Council of the late District of Brock.

Of the Municipal Council of the County of Oxford; praying for certain amendments to the Jury Law.

Of the Woodstock and Lake Erie Railway and Harbour Company; praying for the extension and amendment of their Charter, and an increase of their Capital Stock.

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Of Thomas J. Dennehy and others, of the County of Peterborough; praying that the Survey Act 12 Vic. cap. 35, may be so amended as to provide for the running of side lines in concessions with double fronts, where the lands are not described in half lots.

Of David Sidey, of the Township of Hamilton, County of Northumberland; representing that he was the Contractor for the improvement of the inland waters of the Newcastle District, and that through the indiscretion and misrepresentation of the Engineer employed by the public Commissioners, and the calling out of his men on Militia service, he has sustained a loss of upwards of £1000,--and praying compensation in the premises.

Of the Municipal Council of the United Counties of Peterborough and Victoria; praying for the passing of an Act to confirm certain By-Laws of the Municipal Council of the late District of Colborne, and to legalize proceedings had thereon, and indemnify those who acted under the same.

Of the Municipal Council of the United Counties of Peterborough and Victoria; praying that the Jurors' Law of Upper Canada may be so amended as to reduce the expenses thereof.

Of the Municipal Council of the County of Portneuf; praying that the Act incorporating the City of Quebec may be so amended as to prevent the imposition of a tax upon farmers bringing their produce to the market of the said City, and that the former Parish Municipalities may be substituted for the existing Municipalities of Counties.

Of Michel Girard, senior, of the Parish of L'Ancienne Lorette, yeoman; praying for the passing of an Act authorizing a further loan to be made to him to enable him to complete the re-construction of his house destroyed by the great Fire in the City of Quebec.

Of A. Marcotte and others, of the Parish of St. Raymond du Bourg-Louis, County of Portneuf; praying aid to construct a Bridge over the stream which runs through the said Parish from the east to the west.

Of Louis Petitclerc and others, of the Parish of St. Raymond du Bourg-Louis, County of Portneuf; praying for aid to open certain Roads in the Townships of Gosford, Colbert, and other places.

Of the Reverend J.P. Bedard and others, of the Parish of St. Raymond du Bourg-Louis, County of Portneuf; praying for the passing of an Act to define the rights of Seigniors in certain cases.

Of the Municipal Council of the United Counties of Wellington, Waterloo, and Gray; praying certain amendments to the Jury Laws.

The Order of the day being read, for resuming the adjourned Debate upon the Question which was on Tuesday last proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious

Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learn with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

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That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue

is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled districts:

That this House will consider whether through the instrumentality of the Munic-

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ipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good;

And the Question being again proposed:--The House resumed the said adjourned Debate.

The Honorable Mr. Badgley moved, seconded by Mr. Gamble, and the Question being put, That the Debate be further adjourned until To-morrow, and be then the first Order of the day, after the reading of Petitions;

The House divided:

Yeas, 28.

Nays, 36.

So it passed in the Negative.

And the Question being again proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the

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Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session, for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating

the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the

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Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled Districts:

That this House will consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good;

And a Debate arising thereupon;²

3 O'CLOCK, P.M.³

C'est MR. GAMBLE ... qui a continué la discussion.⁴ Mr. Gamble confessed that though the speech occupied much space, there was little that called for special remark in it. The whole house, with few exceptions, were prepared to join in the reply to it; but it meant nothing and declared nothing. He, however, must remark upon the principles set forth by the Inspector-General. He meant the free trade

principles and those relative to the Clergy Reserves. Now, as to the tranquility and prosperity of the country, though he did not think the country was not progressing, he did think it [was] not progressing as fast as it would do under a wise and good government. The speech of the hon. member from Toronto contained many most valuable facts and suggestions; but he did not think the comparison made by him precisely fair. Massachusetts was the oldest state in the Union, and the centre of commerce, while Canada was a young and agricultural country; but on the other hand, nature had done nothing⁵ for⁶ Massachusetts and everything for Canada. The comparison, however, was most striking, when it was considered that ... Massachusetts had done much by legislative enactment to build up industry, while in Canada everything had been done to depress it. Though considering the tranquility of Canada as the silence of the church yard, he did declare that no one could cross the line between Canada and the States without being struck with the different amount of activity in the two countries. As to the enhancement in the value of Canadian securities, he thought it might be due to other things besides increased prosperity--as to the operations of financiers or to the excess of money for investment. The Post Office was so badly managed before that any change whatever must be for the better. No one probably would object to the loan to the Montreal sufferers; but there were many objections to the way of affording relief, especially from the means of government patronage which would thus be created. This was not the first, nor did he suppose it would be the last occurrence of this kind, and he thought a system might be obtained of Mutual Assurance for the whole Province, so that hereafter the individual sufferer should be held harmless in case of those fires by an assessment on the whole community. As to the decimal currency he desired to know whence it came that the two bills already passed on this subject had been disallowed. There seemed to be a great many people who desired to have railroads--no matter who paid for them. For his part he advised caution, basing his advice on the examples of suffering, caused by vast speculations in England and in the United States. The mode by which it was sought to give value to the securities of the municipalities might be very advantageous especially if they were made the basis of banking capital. He approved of the steps taken to keep up the communication with England; but doubted if much could be done by the few steamers which were to be put on the line. He thought it better to make it worth the while of people to settle, in this country, and it would then be certain that the communication would be kept up. But while he approved of the steam voyages to Quebec, he did not understand the utility of the voyages to be made to a foreign country. Coming to the Clergy Reserves, he declined to express any regret for the conduct of the Imperial government, though he did feel regret that it should again be used as a firebrand in this peaceful country. He regretted that the settlement now made was not held to be what it was intended to be--a final settlement, and here he would remark that though it was said⁷ Lord⁸ Sydenham did not consider it a final settlement he could find no proof of anything of the sort, in Lord Sydenham's life or writings. At any rate that was the understanding of the late hon. Attorney General and of the late member for Huron.⁹

No: from MR. PRES. EX. COUN. CAMERON.¹⁰

MR. GAMBLE [continued:] Here the hon. gentleman read from the report a speech of Mr. Cameron, in which he warned the House not to reject the Imperial Act, and he (Mr. C.) never wished to hear of it again. Now he would not express regret at the refusal of the Imperial Government to repeal the act; but if it were repealed he would consult not his individual feelings but those of his constituents, and he would be quite ready to leave the decision to the vote of the entire people of Canada West. The part of the speech referring to the power of the people to consume he looked upon as a declaration of free trade policy, but he did not approve of that free trade policy, and though he knew the class that M. Bastiat belonged to he did not take his dogmas for being worth more than ... [if] they were

supported by sound policy. For his own part he believed that every consumer was a producer, or lived out of the revenue of producers. He would ask any one to find any leading man not in this position. The fact was therefore, that the consumer and the producer were one, and what ruined one must ruin the other, and whatever helped this one must help the other; but the whole difference took place from the failure to appreciate the difference of value between a home and a foreign market, and free traders thought the foreign market as valuable as the home market. He read from Adam Smith to show that the home market was more valuable than the foreign, and proceeded to contend that no country had prospered under a free trade policy; and when [members] referred to England as a prospering free trade country, he declared that sufficient time had not passed since the commencement of that policy to judge of the effect of free trade in that country. Even in England there was a strong feeling against free trade, and France, Russia, and America were all opposed to it. He then read from a little book called the "Sophisms of Free Trade." He continued to refer to Ireland, India, West Indies, and Lower Canada, and contended that all these countries were being ruined by British free trade. The hon. Inspector General talked of Canadian feeling; but what proof did he give of it. In England he dined with Sir Randolph Routh and other great merchants and capitalists, and it was plain he consulted their interests and had no interest in common with Canadians born, or with people who had long lived there. He then alluded to the French Canadian emigration to the United States, and contended that to remedy all this, the proper way was to alter the commercial tariff. Instead of making a market in your own country, you now drove every one to grow wheat, instead of being the customer of the wheat grower, and then you piled on the agriculturists the imports which weighed him down. Exchanging different articles did not produce wealth, but producing did. He knew the wants of the country; not having spent his time in lounging on morocco chairs. The farmers were so badly off that they did not obtain enough to equal the wages they paid to their labourers. He would do what he could to improve the condition of these people, and he would do it by putting high duties upon all things, which we have a peculiar facility for producing. The agricultural interests, as it had been properly said on the other side, had been neglected; but he did not think they would be much improved by placing the honorable member for Huron in the office he held. Statistics were very useful; but it is well known that they were not¹¹ to be relied upon, for in fact anything could be proved by them.¹² With reference to Canadian protection in the English market, though in favour of it, he did not want to go beyond our own doors. He did not want to go to foreign markets; but he wished to alter our own tariff so as to protect ourselves. Alluding to the Iron Foundries in Canada West, he asked where were the immense quantities of stoves that were formerly imported from Dundee and the United States? It was seen that the imported stoves had been obliged to give way to those of Canadian manufacture, and this latter manufacture had been fostered by a protective duty of $12\frac{1}{2}$ per cent. This duty had been sufficient to protect iron manufactures, as their carriage was expensive. In answer to the quotation from Bastiat made the night before by the Inspector General, he admitted that the imports and exports of a country did not show conclusively the prosperity, or reverse, of any country; but it was plain that it was a disadvantage to any country to be in debt, and every country must be so if it did not export goods to pay for its debts. These debts were paid for by the Commissariat and by emigrants. There was also one way of paying these debts, which was by certificates for debt, in other words by debentures, a curse that was now going on by the creation of this railway debt, the bonds for which, though not going into the hands of the British merchant to whom Canada was indebted, did go into the hands of capitalists in such a way as to pay these merchants. In fact, the object of the loan about to be made, was, as the Inspector General well knew, to shift private debts on to the public; Besides many of the importations were of luxuries, which did not go to the hand laboring classes, and certainly could not indicate their prosperity.

He could not close without blaming the reckless extravagance of expenditure in every department of the government, which was everywhere visible. He admitted indeed the ease, luxury and magnificence of that House, and though he wished it to be commensurate with the wealth and population of the Province, he did not think he should forget that this was to be only temporary, and that another expenditure of a similar kind was to be incurred immediately at the other end of the Province, all out of the pockets of the farmers of the Province. In fact, from the Governor General, with his £7,777 per annum right through the departments, the government of Canada was the most costly in the world.--The whole cost nearly £500,000, or twice as much per head as any, the most expensive government in the States. He then calculated that the surplus labour of a laborer throughout Canada was not more than 1s. 4d. per day--no wonder, therefore, that emigrants shunned this country and chose to go to the United States. He had desired to declare his opinions on matters of government; but he did not consider the present was the time for them. He might say, however, that he was for a federal union, with state legislatures for local purposes; the appointment of local officers by municipalities; and the spending of all money raised by such municipalities by those bodies. He hoped the time would come when Canadians would be equally happy, and if possible more happy than their neighbours.¹³

MR. PAPINEAU made a long speech¹⁴ ... in French.¹⁵ [He] said that the Inspector General had declared that he belonged to the party of reform and progress, but this progress and reform went at a slow pace instead of at the pas de charge. The Secretary of the Province had also used the same vague expressions, so that there were two witnesses to the fact which would otherwise be doubted that this was really a government of reform and progress.¹⁶ L'honorable inspecteur-général ... a si souvent vacillé qu'on ne sait trop qu'en penser. Mais encore, comment faut-il juger la nouvelle administration? Est-ce par ses actes? Est-ce par le discours du gouverneur à l'ouverture de la session? Mais ce discours, il faut l'avouer, ne nous donne que peu à espérer. Il ne nous dit presque rien. Le fait est que les honorables membres qui ont préparé ce discours sont de la réforme progressive comme le sont les honorables membres pour Hamilton et Simcoe! Pour moi, j'aimerais autant voir au pouvoir les honorables membres que je viens de citer que ceux qui occupent les banquettes ministérielles, nous pourrions en attendre tout autant de réformes.

En effet, M. l'orateur, les honorables membres du parti tory ont marché aussi vite vers le progrès et les réformes, que les prétendus réformistes de l'autre côté ont reculé dans la même voie.¹⁷ All the members on the other side of the House belonged to the same party, since they had all accepted the speech with very trifling exceptions. The progress that had been made, if made at all, was in the freedom of debate which now prevailed.¹⁸ Un honorable membre de ce côté de la chambre a en effet remarqué qu'il avait émis jadis dans la presse des opinions pour lesquelles on l'avait fait beaucoup souffrir et qui étaient pourtant loin d'être aussi hardies et aussi avancées que celles qu'il exposait dans cette chambre. Ce que l'honorable membre pour Toronto disait cette année dans cette chambre, et ce que moi je ne crains pas d'exprimer franchement et ouvertement, nous aurait fait chasser tous deux il n'y a que quelques années.¹⁹ He might now say freely that he believed the best thing for the country would be annexation, whereas formerly had he said so, he would have been threatened with execution on the spot.²⁰ Cette liberté de paroles nous est nécessaire pour nous occuper des affaires publiques; elle doit continuer à être entière, sans passer les bornes de la courtoisie et sans manquer aux usages parlementaires.²¹ He, however, was not the only one who thought as he did. In Montreal and elsewhere people had marked the progress of the United States and had learned to admire the democratic institutions which prevailed in that country from the choice of the President to that of the Parish officer, nor was this only the opinion of people in Canada; one of the greatest statesmen of England had regretted,

after the peace which followed the revolution, that our own territory had not been given up instead of being kept as a germ of war, between England and the United States.²² Le fait est, M. l'orateur, que l'on n'a plus peur de la démocratie comme précédemment. Et l'on trouve une nouvelle preuve de ce que j'avance dans le fait que, l'an dernier et les années précédentes, lorsque j'émettais mes idées à ce sujet, l'opposition m'a protégé, et je l'en remercie cordialement. D'ailleurs, ne doit-on pas supposer, ne doit-on pas croire que des hommes d'âge, des pères de familles [sic], des hommes qui ont du bien, n'ont pas d'arrière-pensée en s'exprimant ainsi? Ils parlent dans l'intérêt du peuple. Ce qu'ils disent a été soutenu par les premiers hommes du parlement anglais et de la presse anglaise à différentes époques. Pourquoi ne jouirions-nous pas des mêmes privilèges?

Les explications données par l'honorable inspecteur-général et plus tard par l'honorable secrétaire de la province sur la nécessité de la nouvelle combinaison ministérielle, sont insuffisantes, M. l'orateur. Il en est de même des explications qu'ils nous donnent de leurs nouvelles nominations et surtout de leur politique future. Ce n'est pas clair, c'est ambigu; il y a de l'embarras chez eux. Aussi, je dois le déclarer franchement, il y a quelques jours, je disais que j'étais partagé entre la crainte et l'espoir; mais aujourd'hui en ce qui regarde la partie bas-canadienne du ministère, je n'ai plus d'espoir, je n'ai que des craintes.

Quant aux ministres haut-canadiens, je ne crois pas, M. l'orateur, que l'honorable représentant de Frontenac ait rendu justice à l'honorable commissaire des terres (Dr. Rolph), en le traitant d'homme nouveau et incompétent pour la charge qu'il remplit.²³ He then paid a high tribute to the independence of ... Dr. Rolph, for his political services, as he considered them, to his country, and his varied acquirements²⁴. L'honorable commissaire des terres était en effet un des chefs distingués de l'opposition dans le parlement du Haut-Canada avant 1837; il avait le respect et la confiance de tous les partis. Il est aussi au fait des questions de jurisprudence que des questions de médecine; c'est un homme de grandes connaissances, et très profond dans la science mathématique. Il est donc bien qualifié pour la situation qu'il occupe.²⁵ No doubt the late Attorney General had shown his independence by retiring from the ministry; but before that period, when the press had proved how much the late ministry had lost the confidence of their party, the Inspector General had shown his statesmanship by balancing for a long time, so that no one knew to which side his new combinations leant. It was only after shuffling for a long time that the hon. member at last applied for aid to the hon. member for Norfolk; but he confessed that the fact that he had at last applied in that quarter had done more than anything else to make him hope in the ministry. He condemned the present system of the Speech, and useless debates, which followed it; contending that Canada was not wise in following the forms which prevailed in England, though it was very necessary and proper to adhere to these forms in that country, where they were attached to the memory of a glorious history. But in England they avoided the inconvenience which was suffered in Canada, because the ministry was on terms of courtesy with the opposition, and communicated the Speech from the throne before hand. If the ministry here were, however, really what they professed -- a ministry of progress -- they would point out to the Governor General that it was from no hostility to British institutions but because it was more useful and most in accordance with the position of the country that he should, instead of the present useless speech, send a message containing a plain statement of the affairs of the country, and his suggestions of policy. They might also point [that] out to him . . . without injury. The House might dispense with the useless ceremony of a reply, which was but an echo of the Governor's words, and which occupied six days . . . and might occupy twelve. He then condemned the senseless pomp of military display at the opening of the House, which was a purely civil ceremony.²⁶ L'hon. membre fait ici l'histoire de sa lutte avec feu lord Dalhousie, gouverneur du Bas-Canada, lors du refus de ce dernier d'approuver la nomination faite par la chambre, de M. Papineau, comme orateur.²⁷ [He] showed how his election, having been at

first refused confirmation from one government, was at length confirmed by the successor, and yet, he said, so childish was the attachment to forms, that, though the Governor could no longer refuse his confirmation to the speakership, the House still asked for it, together with liberty of speech, which in like manner, they could not be denied.²⁸ Quel enfantillage pour la chambre d'aller demander au gouverneur la confirmation de son orateur, la liberté des débats et l'approche de la personne de Son Excellence! Un ministère énergique se serait mis au-dessus de cette servilité, aurait secoué le joug! mais la conduite des ministres en cette circonstance montre que le gouvernement responsable est un leurre. On oublie tout du moment qu'on est ministre.²⁹ He then reviewed the several parts of the speech. He thought the congratulation on the tranquility of the Province was strangely out of place³⁰, comme si le gouvernement s'étonnait que, malgré sa folie, le peuple soit demeuré paisible pendant les dernières élections; comme si le gouvernement avait toujours devant les yeux l'incendie et les pierres qui l'ont chassé de Montréal à Toronto.³¹ But if it were true that tranquility had been preserved in the country, it was more to the good sense of the people than to the purity of the govt. The present, like the past, ministry had bribed the electors by money and by places, and had encouraged their paid officers to mingle in the elections, and to excite the passion and violence of the people. If one of the police magistrates and the coroner had merely taken part in the election of Montreal, he would have been ready to admit, if they had acted with discretion, that they might, without blame, have exercised the rights of citizens; but how was it that these men took part in the late election at Two Mountains, & there, the paid officers of the government, acted as the agitators of the people? It was because these officers were looked upon as the sycophants and satellites of power--because it was found that the most ready way to place and power was by violation of the law and the entire spirit of the constitution. He now denounced to the ministry this conduct, these machinations of their subalterns.³² Le ministère pourra prendre le titre de libéral quand il aura enjoint à ses officiers de laisser le peuple faire librement ses élections, quant [sic] il leur aura défendu de n'y prendre aucune part; quand il ne récompensera plus les chercheurs de places....

La corruption a fait un progrès effrayant dans l'opinion publique....Le gouvernement n'est pas réformiste mais corruptionniste. L'administration actuelle comme celle qui l'a précédée, donne l'exemple de la corruption.³³ En parlant des officiers du gouvernement qui s'immiscent dans les élections, il s'indigna contre l'Administration qui, disait-il, "choule ses chiens contre les candidats populaires, et par reconnaissance, jette ensuite du pain à la gueule de ces chiens aboyants."³⁴ Turning to the Inspector General's account of the composition of the present ministry, he pronounced the explanation of Mr. Hincks a pitiable exhibition³⁵. On nous dit qu'on avait voulu d'un avocat faire un forgeron; l'avocat avait dit: je m'entends à manier la loi et non le fer. Je dois être nommé procureur-général si vous avez confiance en moi. J'ai droit d'être promu à une situation qui est dans ma ligne.

Le secrétaire provincial nous a donné ses motifs pour la formation de la section bas-canadienne du ministère. Il n'y avait qu'une tête dans la dernière administration et devant cette tête, toutes les autres se courbaient humblement, et le secrétaire provincial nous a dit que lui-même il aurait plié devant cette tête.³⁶

MR. PROV. SEC. MORIN (vivement). Je n'ai jamais dit une telle chose.³⁷ He ... declared that he had always acted impartially in the chair, though, out of the chair, he approved the conduct of the ministry.³⁸ Mais on ne peut me faire un crime d'avoir conservé mes convictions politiques même sur le fauteuil du président de cette chambre. Quant à ma partialité, j'en appelle aux honorables membres qui formaient partie de la dernière chambre, pour me rendre témoignage et dire si l'accusation de l'honorable membre est vraie.³⁹

Plusieurs voix: Non elle n'est pas vraie.⁴⁰

MR. PAPINEAU continued to say that he did not accuse the hon. member of partial conduct in the chair; but condemned what he had understood him to say, and still condemned the conduct of a man who having to act as a judge between parties allowed himself to be subject to the influence of private partialities.⁴¹ Quant à moi, je crois que l'histoire de la nouvelle combinaison ministérielle est celle-ci. L'hon. inspecteur-général a commencé dans la dernière session à annoncer le premier qu'on en pourrait venir bientôt à quelque nouvelle combinaison; il sentait le terrein [sic] trembler sous ses pieds. Aussi, peu après, l'hon. M. Baldwin, se voyant en minorité sur une question haut-canadienne descendait du pouvoir, et je dois ajouter qu'il a eu l'honneur et l'équité de se retirer dès que ce manque de confiance s'est manifesté. L'hon. inspecteur-général considérant cet événement, et voyant la presse du Haut-Canada presque unanime à blâmer la politique du gouvernement, sentit que le murmure grossissait assez pour qu'en homme prudent il dût chercher un refuge. Il eût recours à une nouvelle combinaison ministérielle, qu'il nous annonça en termes si artificieux, si ambigus, qu'on ne savait de quel parti il voulait parler. C'était le langage de l'homme d'état qui a envie de tromper.

Alors, eût lieu la négociation avec l'hon. Dr. Rolph, qui entra dans le cabinet, malgré son penchant prononcé pour la vie privée qu'il apprécie tant, et que je ne puis trop faire connaître pour lui rendre cette justice qu'il mérite. L'accession au pouvoir de l'hon. commissaire des terres me donne seule un peu d'espérance. N'éanmoins [sic] je n'attends pas grand chose de ce gouvernement responsable qui est un leurre, une tromperie, une illusion. Bien plus, le gouvernement du jour est un gouvernement inconstitutionnel. Il ne comprend pas son devoir, il a violé la liberté des élections en distribuant des places, il a porté atteinte à l'indépendance du parlement.

Et pour en revenir au discours du trône, je dois m'élever d'abord contre l'inutilité et la futilité de ces longs discours à propos de cette harangue du gouverneur; ces discours ne concluent et n'aboutissent à rien. Je ne m'attends pas que le gouvernement progressif à petits pas que nous avons, nous délivre de cet inconvénient. Nous sommes malheureusement encore dans les langes du maillot; nous ne savons pas nous dépêtrer de vêtements qui ne nous vont pas. Tout cela peut convenir à l'Angleterre, qui a des institutions incomparablement meilleures que tout autre pays d'Europe. Mais la copie de cela est un mal pour nous, elle est nuisible au progrès des affaires. Le discours du trône devrait être communiqué aux chefs de l'opposition avant d'être prononcé par le gouverneur, pour que les amendements puissent être prêts dès le premier jour. On en agit ainsi en Angleterre; ... mais nous ne prenons de là que ce qui est nuisible, non ce qui est libéral.

Le gouverneur devrait nous faire un discours raisonné, nous donner un exposé franc et clair de l'état des affaires comme aux Etats-Unis, par exemple. Ce serait convenable, progressif, dans l'intérêt du pays. Quel inconvénient à cela? Pourquoi le cabinet n'en a-t-il pas agi ainsi? Pourtant le gouverneur actuel est un des plus éclairés que nous ayons [sic] eu. Mais nos ministres sont empêtrés dans les langes de l'enfance. Ils continuent à ne pas vouloir ce qui est rationnel, utile, convenable, parce que cela amènerait la séparation d'avec la Grande-Bretagne et l'annexion avec la république voisine. Aussi je n'attends rien de progressif, de libéral, de populaire d'un gouvernement sans énergie, sans courage pour présenter des mesures progressives.⁴² Now coming to the boasts of the prosperity of the Province, he viewed it by the light of the fact that in order to induce the settlement of the wild ... lands the present Crown Land Commissioner had placed them at almost a nominal rent and concluded this was not a proof of prosperity.⁴³ Le cabinet est en contradiction avec les faits, quand les plaintes surgissent de tous côtés sur la dépréciation de la propriété foncière; quand le gouvernement est même obligé de diminuer le prix des terres de 7/ 6, à 3/, 2/ et 1/6. Voilà une preuve que le gouvernement ne croit pas à cette prospérité. Si

le gouvernement était sûr de posséder la confiance publique, il aurait avisé le gouverneur de convoquer le parlement dans la saison d'hiver.⁴⁴ On the subject of the increase in the value of the lands of the Provinces, he expressed doubts, seeing that the high price of the lands was not quoted in the ordinary papers, nor elsewhere except in the circulars of certain commercial houses and thought the Inspector General would perhaps have been entitled to greater praise if he had succeeded in selling the provincial securities at 15 per cent premium. This did not seem to have been done. All that could be said was that they had been sold by the Province at par and that the price had gone up [in] time enough to form the subject of a boast in the Governor's speech. It was said, however, that the census would show the great progress of the country; but here it was unfortunate that the House was asked to speak of something of which it had no knowledge, and this led him to contend that all public documents ought to be submitted to Parliament at the beginning of the session. It was too bad that several days should be lost every session in consequence of official papers being delayed, and not laid before the House on the first day of the session as they ought to be.⁴⁵ Le discours du trône parle de l'incendie de Montréal, mais il se tait sur la générosité de Québec et de tant d'autres localités en ce pays. Pour moi, je félicite cette ville sur sa charité, je l'en remercie, et je suis heureux que nous soyons arrivés à une époque où la philanthropie nous engage à aller de toutes parts au secours de frères en détresse. S'il y avait eu une allusion à ce sujet dans le discours du gouverneur, la Grande-Bretagne aurait été stimulée à venir en aide à Montréal. Il est vrai que le gouvernement a fait une offre à cette dernière ville, et⁴⁶ he stated that he was sorry to see the positive resolution which had been arrived at by the Montreal Corporation to reject the aid of the Government.⁴⁷ Je le regrette, parce que je n'ai pas encore assez mauvaise opinion du ministère pour croire qu'il n'y aurait pas eu moyen de l'amener à modifier ses propositions, et à vendre moins chèrement sa charité.⁴⁸ But it was censurable in the highest degree on the part of the government to attempt to make political jobbing out of a calamity that was altogether providential; and the Corporation of Montreal had just right to be indignant at an attempt on the part of the government to interfere with its proper privileges.⁴⁹ Les commissaires qu'il voulait imposer à cette occasion à la ville de Montréal, étaient des moyens de corruption; le gouvernement les aurait fait agir indûment dans les élections, et quiconque n'aurait pas voté pour les candidats ministériels aurait été persécuté.

On me dira peut-être qu'il n'y a pas de craintes à ce sujet, parce nous avons le gouvernement responsable.⁵⁰ But it was a fine specimen of responsible government!⁵¹ Nous l'avons, sans doute, parce que nous ne pouvons rien faire de ce que l'on fait en Angleterre, et parce que le gouvernement ne peut encore régler une question qui est en débats depuis 1789. Où est le gouvernement responsable, quand il ne peut obtenir de l'Angleterre le règlement de la question des réserves? C'est l'illusion de la vanité qui entretient les ministres dans ces idées, c'est parce qu'ils sont ministres. C'est un leurre, une déception, une tromperie. Les ministres n'en sont pas fâchés; ils croient que c'est un moyen de se maintenir au pouvoir.⁵² He read from the Speech from the throne the paragraph relating to the Clergy Reserves. That expressed nothing; yet⁵³ ils ne peuvent ignorer que la question⁵⁴ of the Clergy Reserves was an exciting, burning one, & one that agitated the whole of Upper Canada⁵⁵, une question ... qu'il faut régler, et ils ont dû y penser en acceptant les douceurs de leurs situations.⁵⁶ However, the Speech expressed no opinion and it was a fine specimen of responsible government. It was also an example of the vaunted freedom which we possessed in Canada:--that was so much better and more valuable than the freedom possessed by the people of the United States. He narrated some details of the agitation in Upper Canada in relation to the Clergy Reserves and then asked, if the statement contained in the Speech from the throne, of the refusal of the British government to permit Canada, to legislate upon that question, did not reveal the degrading vassalage of the

Colonial State? Here was a question which affected us profoundly, yet we were told by the British government that we must not legislate upon it.--The honorable member dilated at some length upon, and condemned in a very scornful manner, what he termed Colonial vassalage.⁵⁷ Le vasselage colonial, ... [c']est la cause de l'émigration canadienne. Les âmes grandes, fières, élevées ne peuvent supporter cette dépendance. Ils quittent tout pour avoir un gouvernement plus indépendant. Et voilà aussi pourquoi sur dix émigrés d'outre-mer, à peine un seul reste-t-il en Canada.⁵⁸ He next read the paragraph from the Speech stating that the condition of the Revenue is satisfactory and such as to indicate general prosperity among the consuming classes. That paragraph was one which should rejoice the heart of the Province. But what had they to say for the producing classes? The agriculturist and the labourers? The hon. member ridiculed that paragraph of the Speech. The paragraph referring to the Representation was of importance, and an increase might be most advantageous under a reformed system. But if the representation were augmented, and if there were no steps taken to restrain the acceptance of office by members or their immediate relations, the system of corruption which now prevails would only become more gigantic. They had seen that seats had been principally bought in that house, as a stepping stone to office. Members had made use of their seats to be made Judges or to obtain other places, not only for themselves, but their friends.⁵⁹ Chaque ministère, chaque ministre se glisse dans la judicature, pourvoit ses parents, ses amis, ses partisans de places largement rétribuées; les membres visent au ministère, et tout cela parce que le gouvernement est corrupteur.⁶⁰ The independence of the electors should also be conserved, and this the hon. member contended could only be by the introduction of the ballot.⁶¹ Mais le cabinet n'aime pas cette indépendance des électeurs, lui qui lance ses meutes officielles sur les électeurs pour les gêner, les intimider ou les corrompre.⁶² On the necessity for this reform the hon. member enlarged at great length. He censured the ministry more for what they had passed over than for what they had indicated:--for the suppression of so many useful measures. Why was not the question of the Elective Legislative Council alluded to in the speech? They had seen announced in all the ministerial organs⁶³, le Pilot et la Minerve,⁶⁴ that this measure was to be introduced during the session. He proceeded to attack the Provincial Secretary for having manifested timidity, and weakness, and uncertainty in his allusion to his proposed bill for rendering the Legislative Council elective:--That hon. member (Mr. Morin) had considered this question of paramount importance in 1836 and had introduced a measure to carry out the reform. Then he expressed no doubts; now nothing could exceed his timidity & weakness. Was it the part of a minister of the crown to raise expectations throughout the country, and not be ready to satisfy them? To announce that a reform would be made, and then come down and say we have no bill prepared. The ideas of the hon. provincial secretary had changed. What was reform and progress with the hon. member, when he was in opposition in 1836, was a chimera, now that the hon. member had become the first minister of the crown in 1852. The reform and progress of 1836 were chimeras in 1852. The hon. member continued to reproach the Provincial Secretary at length, and with intense bitterness for having changed his political opinions. He concluded by making some remarks upon the appointment of the hon. John Young⁶⁵. Où a-t-on trouvé dans les partis parlementaires qu'on ait jamais pris un homme obscur en politique pour en faire un ministre, et un ministre des Travaux Publics? Il ne peut y avoir d'excuse en faveur du gouvernement pour avoir placé dans ce poste important un homme sans expérience de la vie politique, sans connaissance de la tactique parlementaire et dont il ne connaissait pas même les opinions. Cet homme (M. Young) a les jambes longues; d'une seule enjambée il a passé de son comptoir dans le cabinet.⁶⁶ However estimable that gentleman might be as a merchant and in private life, his previous career was not such as to fit him, nor such as to entitle him to become a minister of the crown.⁶⁷ Tant mieux pour lui s'il a la tête aussi longue que les jambes. Dans la formation du ministère, le secrétaire (M.

Morin) a marché à tâton; il a choisi ses collègues sans les connaître⁶⁸.

MR. STEVENSON was nearly inaudible in the Reporter's Gallery. He was understood to say that he had seen by the papers, that there had been a falling off, of the tolls of the Canals, and to contend that that was owing to a vicious commercial policy. He spoke of the system which had produced the prosperity of the United States, and advocated a policy which would produce a home Canadian market. He said if the Inspector General would shew us the amount of our trade which passed through the United States, it would prove that the Americans were fast becoming our forwarders. He believed that it was important that Canadians should adopt the same wise course which the Americans had done, and build up a trade of our own, and receive the tolls of our own Canals. With respect to freights, he stated that the reason why they were lower in the United States, was owing to vessels coming out with freights instead of ballast, as was the case when they came to Canada. He combatted an assertion of the Inspector General to the effect that the theory of the balance of trade was exploded; and he pointed out at length, the means by which our own manufactures might be fostered, and our own trade encouraged. Brother Jonathan was shrewd and sensible, and he had tried both free trade and protection; the latter he had turned to good purpose. He wished that we should follow the same rule, that the people of the United States had followed, and take care of our own interests. From what they heard in that house, people might be led to suppose that free trade was universal, but nothing was farther from the truth. In no part of Europe had free trade been reciprocated with England, not even by the northern corn growing powers who had so much interest in having access to the markets of England. It was time that we should abandon the insane course of making use of United States canals and manufactures in preference to our own. His principal objection to the speech was in consequence of the free trade policy it indicated. The hon. member made some further remarks upon the speech with reference to the clergy Reserves, but as in his remarks upon free trade and protection, he was very imperfectly heard.⁶⁹

MR. CHABOT parla à peu près comme suit:

M. l'Orateur,--Plusieurs de ceux qui ont eu la parole avant moi se sont étendus trop longuement, il me semble, sur des questions qui ne sont pas d'une grande importance. On a tourné en ridicule les formalités observées à l'ouverture des sessions; on les a trouvées puériles, absurdes. Qu'on les trouve comme on voudra, c'est une question qui ne vaut guère la peine de faire tant de bruit. Il est probable qu'il faudra se soumettre à ces formalités, tant que nous serons sous la domination de la Grande-Bretagne. La coutume de discuter la réponse au discours du Trône fournit d'ailleurs aux membres de cette Chambre une excellente occasion de s'expliquer aussi longuement qu'ils le désirent sur toutes les affaires du pays, il est probable qu'ils trouveraient le moyen de revenir à tout instant sur le sujet durant le cours de la session, ce qui nuirait beaucoup plus à l'expédition des affaires. On se plaint que cette discussion fait perdre un tems précieux, et ce sont précisément ceux qui profèrent ces plaintes qui en font perdre le plus. Mais tous les Comités sont nommés, ils peuvent siéger, et rien n'empêche que tout marche comme si nous ne discussions pas jusqu'à onze heures du soir. On a la manie de citer sans cesse ce qui se passe de l'autre côté de la ligne, pour établir un parrallèle [sic] à notre désavantages.⁷⁰ Mais là comme ailleurs il y a des choses excellentes et d'autres qui sont très mauvaises.⁷¹ Ne perd-on pas de tems à discuter dans les Législatures des Etats-Unis? Voyez au capitole. On ne passe pas trois ou quatre jours à discuter la réponse au discours du Trône⁷². On n'y a pas de discours d'ouverture, mais il y a souvent des discussions non pas d'un jour, d'une semaine, mais d'un mois entier à propos de la nomination d'un simple portier.⁷³ Le pays a sans doute⁷⁴ le droit de connaître l'opinion de tous ses représentants,⁷⁵ [et] d'attendre des membres de l'Administration des explications sur la marche qu'-

ils entendent suivre dans la direction des affaires du pays,⁷⁶ et cette opinion, cette marche il les connaît par les débats qui surgissent de la discussion sur l'adresse en réponse au discours du trône. Le cabinet nous a indiqué la marche politique qu'il entend suivre. J'aurais aimé que ce discours fût plus explicite,⁷⁷ mais j'avoue qu'il est difficile de faire un discours du trône qui renferme tous les sujets: et d'après les explications qui ont été données hier par l'hon. inspecteur-général et l'hon. secrétaire-provincial, et surtout s'il y a, comme l'assurent ces messieurs, une parfaite unanimité dans le cabinet⁷⁸, je suis convaincu que⁷⁹ nous avons toute raison d'espérer que nous pourrions obtenir les réformes les plus importantes⁸⁰ que nous demandons. L'honorable membre des Deux-Montagnes (M. Papineau)⁸¹ nous a fait un long discours. Il nous a parlé⁸² de toutes sortes de choses,⁸³ excepté pourtant de deux sujets qui intéressent grandement l'avenir du pays. Pourtant le public eut aimé à connaître ses opinions sur ces questions. J'aimerais bien à savoir pour ma part ce que pense l'hon. membre de l'abolition de la Tenure Seigneuriale (écoutez, écoutez). L'hon. membre reprochait autrefois à certains ministres d'être "muets comme la tombe", mais⁸⁴ l'hon. membre lui, est muet à l'endroit de cette question qui occupe si fortement l'esprit public. Il est vrai que cette question est très chatouilleuse pour cet honorable membre.⁸⁵ Il y a une autre question très importante dont l'hon. membre n'a rien dit non plus, c'est celle du chemin de fer d'Halifax à Québec. C'est une question sur laquelle le pays et principalement les citoyens du district de Québec eussent aimé à connaître son opinion.⁸⁶ Le ... chemin ... de fer ... d'Halifax et de Québec, ... doit augmenter la prospérité du pays à laquelle il ne croit pas.⁸⁷ Il est singulier, M. l'Orateur, de voir avec quelle répugnance certains membres de l'opposition entendent parler de la prospérité publique. Il ne faut pas s'étonner pourtant si⁸⁸ pour ceux qui désirent, qui rêvent sans cesse la banqueroute du pays, il est difficile de croire à une prospérité à laquelle ils ne contribuent pas et à laquelle ils n'ont jamais réellement contribué.⁸⁹ [Ceux-ci] refusent opiniâtrement d'admettre que les fonds provinciaux sont en hausse sur les marchés de Londres. Pourtant les faits sont là pour le prouver. Que ceux qui le nient nous citent des faits à l'appui de leurs avances.⁹⁰ Les membres du gouvernement actuel possèdent ma confiance, les uns plus, les autres moins;⁹¹ mais, comme corps, le ministère a toute ma confiance. Si l'on amène devant la chambre les mesures de réformes réelles, effectives, promises par l'hon. inspecteur-général et l'hon. secrétaire-provincial, je l'appuierai de tout mon pouvoir. Je l'appuierai de même si l'administration se montre ferme, zélée à soutenir nos droits contre les prétentions du bureau colonial. Il est d'usage de dire parmi nous que nous avons enfin obtenu le gouvernement responsable: nous devrions dire plutôt qu'on a cessé de nous ravir nos droits de sujets anglais; comme sujets anglais, nous avons, nous avons toujours eu le droit de nous gouverner nous-mêmes. Mais puis-qu'on a cessé aujourd'hui de nous ravir ces droits, j'espère que notre gouvernement sera assez ferme, assez fort pour nous les conserver. J'espère que l'administration continuera à suivre la ligne de conduite qu'elle s'est tracée, et que son attitude fera comprendre au ministre des colonies que nous sommes bien déterminés à faire en sorte que des étrangers ne viennent pas s'immiscer dans l'administration de nos affaires locales.⁹² Si nous obtenons le gouvernement responsable dans toute sa plénitude; si on nous accorde en réalité le droit de régler nos affaires locales, alors je serai persuadé, convaincu que nous avons de fait, et en réalité le gouvernement que nous demandons.⁹³ J'en viens maintenant à la considération de quelques points de l'adresse. Un des plus importants est celui qui a rapport à la question de la Tenure Seigneuriale. Il y a longtemps qu'on parle de cette réforme, et il est temps que les espérances dont nous avons été bercés se réalisent. Pour moi, je le déclare franchement, je ne soutiendrai jamais aucune administration qui ne prendra pas⁹⁴ le moyen de régler la question de la tenure seigneuriale⁹⁵, les moyens d'en venir au règlement de cette question.⁹⁶ The ... ministry should take immediate steps for its entire abolition.⁹⁷

Loud cries of hear from the French members.⁹⁸

MR. CHABOT [continued:] Je crois en conscience que cette tenure est préjudiciable aux intérêts du pays⁹⁹. On ne me reprochera pas d'avoir jamais rien demandé qui fût injuste pour le seigneur, je veux que les seigneurs soient indemnisés de ce qui leur est¹⁰⁰ justement dû. Je veux justice égale pour le seigneur et le censitaire, et la majorité de cette chambre pense, sans doute, comme moi.¹⁰¹ The abuse of the Seigniorial Tenure was undoubted. The agitation upon it throughout the country would continue to increase the longer the question was left open and unsettled; and he alleged there was only one way to settle it, namely, by its entire abolition.¹⁰² Si toutefois il y avait des obstacles absolument insurmontables à l'abolition entière de cette tenure, alors je dirais à l'administration il n'y a pas de temps à perdre, il faut arrêter immédiatement la continuation des abus. Si nous gardons le silence plus longtemps, le seigneur augmentera ses exactions, et la question deviendra de jour en jour plus difficile et plus compliquée.

Je prends, sur ce sujet, la parole du ministère. Le paragraphe du discours qui se rapporte à la Tenure Seigneuriale¹⁰³ ne me plaît pas¹⁰⁴. Il n'est pas aussi explicite que je l'aurais désiré. Mais¹⁰⁵ je prends la parole du ministère et j'ai confiance¹⁰⁶ dans la sincérité de l'hon. procureur-général pour le Bas-Canada¹⁰⁷ car le discours n'engage pas les ministres sur cette question.¹⁰⁸ He ... wanted to hear what the Attorney General East proposed¹⁰⁹. Je ne veux voir dans ce paragraphe qu'un désir bien juste de faire comprendre au pays, que la législature en statuant sur cette question, ne cherchera à dépouiller aucune classe d'individus de ses justes droits.¹¹⁰ There was no one in that House disposed to rob the Seigniors¹¹¹. Si je savais que l'administration n'eût pas intention d'accorder à cette question toute l'attention qu'elle mérite¹¹², si l'administration manque à sa promesse, je romprai avec elle ou¹¹³ je croirais de mon devoir de résigner immédiatement mon siège dans cette chambre. J'en viens maintenant à la question du conseil législatif.¹¹⁴ There was ... a strongly formed opinion among the public against the present constitution of it.¹¹⁵ Je sais que plusieurs des membres du conseil législatif sont bien qualifiés pour leur charge, cependant on doit convenir que ce corps, tel qu'il est constitué, n'a pas l'importance qu'il devrait avoir dans la constitution. Peut-être est-il vrai que l'esprit public n'est pas encore éclairé sur le meilleur mode de reconstituer cette branche de la législature.¹¹⁶ Abolira-t-on le conseil législatif, ou le rendra-t-on électif?¹¹⁷ Pour moi, je pense que l'abolition entière est ce qu'il y a de mieux à faire. Je suis prêts [sic] cependant à voter autrement¹¹⁸ si la majorité se prononce en faveur de sa conservation¹¹⁹, pourvu que je puisse me débarrasser du conseil tel qu'il est constitué aujourd'hui. Mais j'espère que le ministère soumettra à la chambre une mesure qui pourra être murie à loisir d'ici à la prochaine session.¹²⁰ [Il faut] la laisser pendante ... pour connaître l'opinion publique.¹²¹ Je ne puis m'empêcher de m'arrêter sur le paragraphe qui fait allusion à la colonisation des terres incultes. Parmi les membres qui ont déjà parlé, les uns ont attribué l'émigration qui se fait parmi une certaine classe des habitants du Bas-Canada à l'existence de droits protecteurs, d'autres l'attribuent au manque de droits protecteurs suffisants. Mais ce n'est pas là la raison. L'émigration¹²², a question of great importance¹²³, est due à la mauvaise politique de l'ancien gouvernement, qui vendit des terres incultes à un certain nombre de grands propriétaires¹²⁴, and the high price of the Crown Lands.¹²⁵ Elle est due au défaut de chemins qui ne permet pas l'accès aux terres--c'est là toute la cause de l'expatriation, mais puisque le gouvernement a enfin ouvert les yeux sur ce grief, j'espère que nous aurons une mesure libérale et efficace, et j'espère aussi que l'assemblée votera une somme d'argent suffisante pour mettre les intentions du gouvernement à effet. En vain parlera-t-on de chemins de fer, de grandes voies de communication, il faut pouvoir aller en charrette avant d'aller en chemin de fer--il faut pouvoir se rendre sur ses terres avec des vivres et des outils.¹²⁶ Le Canada est un pays ag-

ricole.¹²⁷ C'est en encourageant l'agriculture qu'on augmentera les exportations, et c'est en facilitant l'accès aux terres incultes ... qu'on encouragera l'agriculture.¹²⁸ Il faut au cultivateur un accès facile aux marchés pour y vendre ses denrées.¹²⁹ J'ai la ferme conviction qu'on adoptera enfin une mesure efficace, qu'on adoptera dans le département des terres de la couronne des règlements pour empêcher les spéculateurs de s'emparer des terres--qu'on passera un acte qui déclarera nulles toutes stipulations de servitude personnelle, si commune dans les contrats de concession des terres incultes; car dans les townships, comme dans les seigneuries, un principe de féodalité de la pire espèce s'est introduit dans les actes de vente; il est tems de remédier à cela.

On fait souvent la comparaison entre ce pays et les Etats de l'Union ou le Haut-Canada. On doit admettre que notre climat n'est pas très favorable. Cependant qu'on parcoure les bords du St. Laurent depuis Québec jusqu'à Rimouski, qu'on entre dans la chaumière hospitalière du cultivateur, et on se convaincra qu'il n'y a pas plus de misère parmi nous que chez les classes agricoles des autres pays.¹³⁰ Between Quebec and Montmorenci would be found a population as comfortable, as well lodged, and as well clothed as any in Upper Canada or in most of the United States. If Lower Canada had not increased so rapidly as Upper Canada, it was because the climate was more severe, and because¹³¹ le Bas-Canada a toujours été laissé à lui-même, à ses propres ressources, il n'a pas eu l'avantage de recevoir comme le Haut-Canada et les Etats-Unis une émigration considérable apportant des capitaux et de l'industrie sans compter les millions qui ont été dépensés chez eux par le gouvernement en améliorations publiques.¹³² He then, touching upon railway matters, urged that the Halifax and Quebec Road should be pressed forward.¹³³ D'hons. membres ont exprimé des craintes relativement aux chemins qui partiront de Québec; ils craignent qu'ils ne soient pas profitables, et qu'ils endettent la province. Mais ce n'est pas ainsi que doit raisonner un homme d'état. Il doit considérer s'il est de l'intérêt général que telle amélioration existe, sans s'occuper si elle paiera six par cent à ceux qui l'auront faite.¹³⁴ The objection against the road not paying was not, he fancied, urged in Upper Canada against the lavish expenditure by Lord Sydenham, of thousands of pounds on perfectly useless works¹³⁵, [comme] des chemins macadamisés et autres améliorations publiques qui n'ont jamais rien payé au gouvernement. On savait qu'elles contribueraient au développement de la prospérité générale, et c'était suffisant.

Sur toutes ces questions, je prêterai avec plaisir mon appui au ministère.¹³⁶ But he would vote against them when he thought their measures bad.¹³⁷ Je n'ai pas besoin de dire cependant que je serai toujours indépendant. Je suis aussi indépendant dans mes votes que tout autre membre de la chambre, mais je ne suis pas de ceux qui pensent que pour être indépendant il faut voter continuellement avec l'opposition.¹³⁸ In the full belief, however, that they meant well, he would support a ministry that professed reform and progress, whether travelling at a walk, pas de charge, or full trot¹³⁹. Je préfère un bon cheval qui va lentement, mais sans s'arrêter¹⁴⁰, one which travelled all day,¹⁴¹ à un cheval fougueux toujours prêt à renverser la voiture qu'il conduit¹⁴², [or] one which made a short dash and was then done for.¹⁴³ Je prends en pitié ces membres qui sont toujours à censurer tout ce qui se fait qui ne trouvent rien de bon au monde, mais qui, eux-mêmes n'ont pas le courage ou la capacité de présenter des mesures pour remédier aux abus dont ils se plaignent.¹⁴⁴ J'approuve le discours du trône et je voterai en faveur de l'adresse quoi qu'en disent certaines gens qui se disent indépendants.... Il est encore un sujet qui doit occuper l'attention de cette chambre, c'est la confusion, le cahos [sic] qui règnent dans nos lois. Ne devrait-on pas avoir un comité de législation? ne devrait-on pas aussi s'occuper de la codification?¹⁴⁵ The codification of the laws, ... he thought, might be very well effected by the lights which might be obtained from the writings of learned men¹⁴⁶, [et] la chose est d'autant plus facile que nous avons pour modèles les codes des nations plus avancées que nous dans la civilisation.¹⁴⁷

MR. TURCOTTE, qui avait déjà demandé la parole auparavant, se leva, et fit un discours¹⁴⁸ ... à peu-près dans les termes suivants:

Mr. L'Orateur: En me levant pour adresser la parole à cette chambre, je crois qu'il est de mon devoir de rencontrer l'hon. membre pour le comté des Deux-Montagnes, qui représentait dans le dernier parlement le comté que j'ai l'honneur de représenter aujourd'hui. Mais tout en me déclarant l'adversaire politique de l'honorable membre, je dois dire que j'entretiens pour lui le plus profond respect; je respecte ses cheveux blancs; je me rappelle encore la haute position qu'il a occupée dans le pays et dans l'estime de ses compatriotes. Je le traiterai donc avec tous les égards qui lui sont dûs.

J'ai déjà dit, M. l'Orateur, que j'avais fait une espèce de sacrifice en votant¹⁴⁹ l'autre jour¹⁵⁰ comme j'ai fait pour vous placer dans ce fauteuil. C'est que j'aurais aimé à pouvoir voter consciencieusement pour remettre l'hon. membre pour le comté des Deux-Montagnes dans ce fauteuil qu'il a occupé autrefois si longtemps et avec tant d'honneur; mais malheureusement l'honorable membre s'était rendu impossible, (écoutez). Ça été un malheur pour nous, Canadiens-Français, qu'un de nos hommes les plus capables et les plus expérimentés, ait pris une position¹⁵¹ à cause de ses principes politiques,¹⁵² qui ne peut-être appuyée par ceux qui ne veulent pas renverser ouvertement le gouvernement du pays. Oui, je ne crains pas de le dire: les principes professés depuis quatre [ans] par l'hon. membre sont dangereux; ils ne peuvent être partagés par ses compatriotes. Le soutenir, ce serait notre perte. Voyez, dirait-on, la loyauté de ces Canadiens, vous les voyez appuyer un homme qui déclare n'avoir aucune confiance dans la justice de la mère-patrie, et qui demande l'annexion aux Etats-Unis. (Ecoutez, écoutez.)¹⁵³

MR. PAPINEAU sourit¹⁵⁴.

MR. TURCOTTE [continued:] Je vois l'hon. membre sourire, mais ne sait-il pas qu'on a calomnié ses compatriotes pour les persécuter? Ne sait-il pas qu'on a souvent cherché des prétextes pour nous traiter injustement? L'honorable membre s'est montré injuste dans ses attaques contre l'administration, à laquelle il a appliqué ironiquement, et à plusieurs reprises, l'épithète de "progressive à petits pas". Pour avoir son approbation, il faudrait aller au "pas de charge"¹⁵⁵ dans la voie du progrès et de la réforme.¹⁵⁶ Mais l'hon. membre ne se souvient-il pas que nous avons déjà tenté les réformes au pas de charge? Ne se souvient-il pas que nous avons marché au pas de charge sous son commandement? Et où nous a-t-il conduit? Et qu'en est-il résulté? C'est que le commandant après avoir lancé ses soldats au "pas de charge" n'a pas eu la force nécessaire pour les arrêter. Je ne suis pas de ceux qui pensent que l'hon. membre désirait une insurrection à l'époque où la nôtre a eu lieu.

Mais je dis qu'après avoir poussé le peuple "au pas de charge" dans la voie des réformes, il n'a plus été capable de le retenir, et ce pauvre peuple a été écrasé sous les baionnettes anglaises. (Sensation.) L'hon. membre sait bien que nous n'avons pas la force de notre côté; ne vaut-il pas mieux alors faire ce qu'on peut, que de ne rien faire du tout? Ne vaut-il pas mieux avancer "à petits pas" que de rester stationnaires ou de rétrograder? Eh! dans tous les pays du monde, en Europe comme en Amérique, comment s'obtiennent les réformes? comment parvient-on aux améliorations politiques ou sociales? N'est-ce pas par degrés, et à petits pas? Dans certains pays, comme dans la belle France, par exemple, le peuple a voulu marcher au pas de charge vers les réformes mais¹⁵⁷ où en est [-il] ... avec toutes ses tentatives ... ?¹⁵⁸ Il a marché dans le sang..... et il a trouvé le despotisme à la place de la liberté.--(Ecoutez.)¹⁵⁹ For his part he advised his Countrymen to be cautious.¹⁶⁰ L'hon. membre a combattu autrefois avec beaucoup de zèle pour les droits populaires du Bas-Canada. Sa voix a été entendue bien des fois dans cette chambre, et faisait naître l'enthousiasme dans les coeurs les plus froids. Moi-même, je le confesse, j'étais un de ses plus chauds admirateurs. Cependant la marche suivie alors par l'hon. membre n'était pas exacte.

En effet, à quoi s'attaquait-il? que demandait-il,¹⁶¹ sous l'ancienne constitution,¹⁶² dans tous ses discours en chambre et par tout le pays? que le conseil législatif fut électif.... Mais ce n'était pas cela qu'il fallait demander. Il aurait dû s'attaquer au conseil exécutif, et en demander la réforme,¹⁶³ et essayer de changer le gouvernement d'alors.¹⁶⁴ Qu'est-ce qu'un conseil législatif entre les mains d'un exécutif populaire? Je prendrai occasion de dire ici mon opinion au sujet de la composition de cette seconde branche de la législature. Je déclare que je suis en faveur de l'abolition complète, pourvu qu'on lui substitue un conseil de révision ou de prévision, chargé de veiller à la confection des lois, de voir à ce que les nouvelles lois soient coordonnées avec les lois existantes.

L'hon. membre pour le comté de Deux-Montagnes a déclaré qu'il lui était parfaitement indifférent que le pouvoir fût entre les mains des tories ou entre celle [sic] des réformistes.¹⁶⁵ Je le crois.¹⁶⁵ L'hon. membre ne trouve pas les libéraux assez progressistes¹⁶⁶. Peut-être même a-t-il un penchant pour les¹⁶⁷ tories dont il a recherché et reçu l'appui¹⁶⁸ [et] qui lui ont accordé protection. D'ailleurs, peu importe, pour quiconque veut démolir.¹⁶⁹

MR. DUBORD here said¹⁷⁰ il a fait comme vous avez fait vous même lorsque vous avez fait parti de l'administration tory.¹⁷¹

MR. TURCOTTE continued to say¹⁷² j'ai entendu avec peine l'hon. membre¹⁷³ for Two Mountains¹⁷⁴ jeter l'injure à la face des derniers ministres, en leur disant qu'ils avaient fui de Montréal, par la peur des pierres¹⁷⁵ and mud¹⁷⁶ lancées contre eux par des émeutiers. Non seulement ce reproche n'est pas généreux, mais¹⁷⁷ [it] was in the worst possible taste¹⁷⁸. L'hon. membre aurait dû être le dernier à rappeler cette circonstance, puisque les événements de cette malheureuse époque ont eu leur origine¹⁷⁹ as a consequence of that gentleman's doctrines¹⁸⁰, dans un acte de justice pour les malheureuses victimes des troubles de 1837-38, que l'hon. membre aurait dû protéger. Il ne convenait nullement d'essayer à faire rire en rappelant ces tristes souvenirs.¹⁸¹ From this he went into a discussion in support of the economical views of the ministry as enunciated in the speech from the throne and the address.... [He then made] some further remarks in reference to Mr. Papineau which we did not distinctly understand in consequence of the position of the hon. member¹⁸². M. Turcotte reprocha ensuite à M. Papineau de s'être servi d'expressions choquantes, d'avoir fait des insinuations malicieuses, injustes, d'avoir proféré des accusations graves sans rien prouver.

L'hon. membre, ajouta-t-il, s'est montré injuste envers l'hon. secrétaire provincial lorsqu'il lui a reproché d'avoir, pendant qu'il était orateur, prêté son appui au ministère. L'hon. membre ne se souvient-il pas d'avoir pendant 25 ans, occupant le fauteuil d'orateur, descendu chaque jour¹⁸³ pour se mêler avec fureur dans les débats brûlants et¹⁸⁴ prononcer les discours les plus violents, en partisan outré, puis¹⁸⁵ remonter ensuite sur son siège d'orateur pour rendre justice à ses partisans et à ceux qu'il attaquait dans ses discours.¹⁸⁶ Ecoutez. Après avoir combattu les doctrines de l'hon. membre pour le comté des Deux-Montagnes, et repoussé les accusations portées par lui contre l'hon. secrétaire provincial, je pense que je n'aurais rempli qu'une partie de mon devoir si je ne disais un mot sur l'objet principal des délibérations actuelles, le discours d'ouverture du parlement.

Je profiterai pour cela de l'invitation qu'a semblé nous faire l'hon. secrétaire provincial, celle de dire toute notre pensée, de manière à ce que l'administration soit plus en état de bien connaître les vues et les principes de la chambre en général.¹⁸⁷ J'approuve l'adresse en général quoique j'en désapprouve certaines parties et surtout l'omission de certains sujets.¹⁸⁸ Je regrette profondément de ne pas trouver dans le discours du trône un seul mot ayant trait à l'éducation de la jeunesse du pays. Je regarde la question de l'éducation comme une de celles qui doivent attirer l'attention et l'action immédiate de la législature; car en vérité pour quiconque connaît ce qui se passe et ce qui existe dans

nos campagnes relativement à ce qui s'y appelle éducation, il est impossible de ne pas s'étonner qu'au lieu de quelques petites résistances partielles à la loi, il n'y ait pas eu un soulèvement général contre cette loi absurde, mise à exécution sans système et sans maîtres, par un homme, je regrette de le dire, mais comme beaucoup le savent, incapable de la faire fonctionner. Cette loi est non seulement absurde dans les circonstances où se trouve le pays, mais encore inique [sic], en ce qu'elle force les contribuables à payer une taxe pour laquelle ils ne reçoivent rien, et qu'elle fait sortir chaque année des coffres publics des sommes de deniers considérables presque en pure perte, comme si elles étaient jetées au fleuve St. Laurent.

En vain M. le surintendant dira-t-il qu'il y a progrès, que la loi fonctionne bien, lorsque de la même plume qui trace cette ligne il sera forcé de demander l'établissement d'une police, pour l'aider à mettre en opération une loi qui fonctionne si bien, suivant lui. Tant que son salaire viendra régulièrement, tant qu'il y aura des demandes suffisantes pour absorber chaque année la part afférente à chaque localité, il est probable que M. le surintendant trouvera que la loi fonctionne admirablement bien.¹⁸⁹ On parle de l'hostilité des habitants des campagnes à l'instruction. M. l'orateur, moi, qui connais Jean-Baptiste, je puis dire hautement qu'il n'est pas ennemi de l'instruction; bien au contraire.¹⁹⁰ Jean-Baptiste ... aime naturellement l'éducation.¹⁹¹ Mais quand il a payé pendant plusieurs années pour l'instruction de ses enfants et qu'après trois ou quatre ans d'école ses enfants sont incapables de lire ou d'écrire une lettre ou un compte, peut-on s'étonner qu'il ait en horreurs [sic] une loi qui lui arrache son argent sous le prétexte d'instruire ses enfants qui sont aussi ignorants que s'ils n'avaient jamais fréquenté l'école!¹⁹² Cependant encore un fait écrasant est là pour prouver que le système est mauvais et que les deniers et particuliers et publics payés pour l'éducation ne peuvent pas produire le résultat qu'on a droit d'en attendre, c'est que la moyenne des salaires payés aux maîtres dans le Bas-Canada français est d'à-peu-près £20 par année. Que les messieurs d'origine britannique ne sourient pas à l'énoncé de cette loi déplorable, c'est encore pire chez eux, attendu que la moyenne des salaires des maîtres dans les townships dont les habitants sont d'origine britannique, dans le Bas-Canada, ne s'élève qu'à environ £15 par année! Dans le comté de Stanstead, par exemple, elle ne s'élève qu'à £11.¹⁹³ Est-il possible pour cette modique somme, cette insignifiante somme, est-il possible, dis-je d'avoir des instituteurs capables?¹⁹⁴ De cet état de choses il résulte qu'après une, deux, trois et même quatre années d'école, les enfants ont appris à lire quelques pages salies et usées de livres tels que la Neuvaïne de St. François-Xavier, livre bien respectable sans doute, mais dans lequel l'enfant n'apprendra jamais ni le commerce, ni la culture des terres, ni aucune autre chose pratique.¹⁹⁵ Avant de faire payer les gens, voyez donc à leur procurer des maîtres capables. Je sais bien que chaque année on lit dans les rapports du Dr. Meilleur les progrès étonnants de l'instruction. Eh bien, moi je dis que ces progrès n'existent pas, et que le surintendant de l'éducation, parce qu'il empoche chaque année £700 à £800 croit tout bonnement que l'éducation doit progresser et progresse réellement.¹⁹⁶ A ce mal il faut un remède prompt, et efficace, et il eût été de la plus haute importance qu'on eût fait mention de quelque chose relatif à l'éducation dans le discours d'ouverture.

Une autre question sur laquelle je désire dire un mot est celle des chemins de fer.¹⁹⁷ Le gouvernement vient de publier une proclamation accordant au chemin de Richmond la garantie de la province.¹⁹⁸ Je regrette que l'Administration se soit empressée de déclarer ... la veille de la réunion des Chambres, que certains chemins feraient partie de la grande ligne provinciale, et je n'hésite pas à dire pour que mes amis de l'Administration puissent le savoir, que l'on se répète généralement dans le public ce que je ne crois pas moi-même, savoir que l'administration se trouve influencée dans nos questions de chemins de fer, en conséquence de ce que plusieurs des membres qui la composent ont un grand intérêt

personnel dans certains chemins.¹⁹⁹ Je dois avertir mes amis du ministère que s'ils perdent le pouvoir, ils le perdront sur une question de chemin de fer; ils le perdront sur la question du chemin de fer du Nord de Québec à Montréal. Ils peuvent être battus sur cette question du chemin de fer du Nord appuyé par 14 ou 15 membres en cette chambre qui se réuniront à un autre parti pour former une administration qui leur donnera cette garantie.²⁰⁰ Ce que les partisans du chemin de fer du Nord désirent obtenir n'est rien autre chose que la stricte justice, la même garantie provinciale pour eux que celle accordée à d'autres parties de la Province.²⁰¹ The hon. Chief of the ministry had stated to him (Mr. Turcotte.) that his politics were railroads, and that being the case this was a point of the highest political importance.²⁰²

MR. AT GEN. DRUMMOND answered for his colleague that he never said railroads were the politics of the ministry.²⁰³

MR. TURCOTTE said not of the ministry but of himself (Mr. Hincks.)²⁰⁴

MR. AT. GEN. DRUMMOND said never.²⁰⁵

MR. TURCOTTE: Je respecte beaucoup les actes de la Législature; mais je ne peux m'empêcher de dire que celui passé dans la dernière session, restreignant la garantie provinciale à certains chemins, et soumettant cette province à la condition humiliante de ne pouvoir plus accorder sa garantie en semblables circonstances sans avoir préalablement obtenu le consentement des agens ou prêteurs anglais ou autres, est un acte aussi inconstitutionnel que ridicule et injuste en ce qu'il tend à paralyser les moyens d'action de la postérité en fait d'améliorations et d'entreprises publiques, dans un pays nouveau où tous les jours il pourrait surgir des besoins indispensables en ce genre. Pour ma part je ne consentirai jamais à laisser en force un pareil acte qui est et serait une preuve indélébile d'une grande erreur législative.²⁰⁶

MR. CLAPHAM said that many sentiments had been elicited in this debate, which would be likely to produce much good. He did not think the speech obnoxious to the blame which had been cast upon it, because it was very desirable just now to impress the people of England with a feeling of the prosperity of the country. It was indeed, he believed, very true, that in Upper Canada, particular localities were in a prosperous condition; but with respect to the neighbourhood he represented, that was not true. The hon. member for Bellechasse had well pointed out that the people there were without roads, and in other respects, in a condition of which the people of Upper Canada could form no idea. He was glad to hear that the hon. Attorney General had a measure for relieving that section of the country. So with the trade of the city, he knew a great deal of it, and he was sure that the hon. member for Quebec would declare that his commerce had not been productive. Eighteen years ago, he (Mr. Clapham) had purchased large water power in this country, in the hope to make it productive, and after laying out some thousands of pounds he found that he had lost enough to convince him it was not profitable. Taking another branch of business--steam navigation between Quebec and Montreal--he knew one family, which had sacrificed five hundred pounds by giving their stock away, and he knew a gentleman who had nearly been ruined by similar speculations. When in England, he had stayed the winter to see if the climate were much worse than here during that season, and the conclusion he came to was that it was not. He then offered the Colonial Secretary to lecture without any expense, if he would only give the sanction of the Government. That was refused; but yet he brought out a family, who could have got a farm on excellent terms; but who would not settle for no other reason than the want of roads. It did not appear to him that any one had yet proposed an effective remedy for the evil. Now the hon. member for Lincoln had stated that the Canals of Canada were a failure; well during the time that he was in England, the hon. Grantley Berkley proposed a duty of 8s. on wheat. He thinking that too high, I wrote and advised the hon. member to make it only 4s.

The question therefore now was whether this should not be done. He thought it the duty of England to impose this duty, exempting all the produce of the United States shipped from Canada. That would increase the commerce of the country and the trade of the canals. In support of this view he read from the first message of President Fillmore to the American Congress in favour of protection to native industry. He read this to prove not only to this country, but to England that this was the true policy.²⁰⁷

MR. LANGTON did not agree with the protectionist doctrines of the hon. members for Toronto, and S. York, nor with their higher appreciation of the United States as compared with Canada. The latter gentleman declared the farmers were gaining no more profit than their laborers. Now in his country that was certainly not the case.--They drove better horses than their laborers, lived in better houses, and could subscribe more to churches and plank roads. The hon. member said anything could be formed by statistics, and he thought he had given a very fair example of this by proving that the surplus earnings of each laborer in the country was no more than 1s. 4d. per day.²⁰⁸

MR. GAMBLE said that he did not say so; but that the whole surplus after their expenditure, as shown by the export, was but 1s. 4d. per day.²⁰⁹

MR. LANGTON²¹⁰ supposed what was meant then was that the people got everything they could possibly desire, & then had 1s. 4d. a head left. He next proceeded to the question of the Clergy Reserves²¹¹. [He] declared himself ready to go [to] all reasonable lengths to maintain the right of this country to self-government.... He altogether differed from members on his side of the House on the Clergy Reserve question.... He did "deeply regret" that the Imperial Government had not repealed the Act of 1840.²¹² [He] expressed his belief that there could never be any ... settlement of that question²¹³ [that] would satisfy the people of Upper Canada²¹⁴ except the entire secularization of the reserves²¹⁵. As a member of the Church of England, he believed the Reserves had done her incalculable injury²¹⁶. Nothing could be more injurious to the church than its present connection with that endowment,²¹⁷ and he avowed himself ready to vote with the Government in whatever steps they might take to obtain control over the Reserves and to apply them for general purposes.²¹⁸ He also felt that this course was wished for by the great majority of the people of Upper Canada.²¹⁹

[Mr. Langton's] declarations were met by loud and repeated cheers from the ministerial side of the House²²⁰.

MR. LANGTON [concluded:] He liked the speech from the throne, and he thought what changes had been introduced in the address were improvements rather than otherwise.²²¹

MR. COM. PUB. WORKS YOUNG said the hon. member for Haldimand having alluded to a transaction, in which he had been concerned; he desired to say a word on the subject, for though he did not understand that standing there as a minister of the crown, he was responsible for his conduct as a private merchant, long before he joined the ministry, [and] he was happy of the opportunity to state the facts. In 1849 an act was passed authorizing the government to issue bonds guaranteeing the interest of money to be borrowed by the Portland Railway. In consequence of the nature of these bonds--the interest only being guaranteed, they could not be sold except at a discount. He remonstrated with his fellow directors of the railroad on the subject of selling them in that way as he held that a bond which guaranteed an annual interest was as good as one that guaranteed the principal. It being then determined to apply to the Government to change the characters of the bonds he was asked to go to Toronto. He at first refused because he could not afford to leave his business; but he ultimately consented and had no difficulty in convincing the government of the propriety of changing the bonds. They then remained in his

possession for sale, at a commission, and he sold 100,000 at par without commission, on the other side; the rest brought to the company 102 net. By the transaction, the company and the country saved £80,000. Another transaction had been noticed in the papers with respect to the changing in bond of a quantity of Ohio flour for a like quantity of Canadian. As a merchant before his connection with the government, he had applied by letter to be allowed to do so, and after 5 weeks delay leave was given. That was the history of that.--A great many persons opposite imputed the want of prosperity to the want of manufactures. Now there was no doubt the Province as well as the United States had a large surplus to export. It was plain that of the value thus exported farmers got the balance between the price in Europe and the freight of sending it there. Now it was clear that it was most important these freights should be as low as they could, and it would be found on comparison of freights before and since the repeal of the navigation laws that the country had saved in that item, since that time, £250,000. In the same way since the repeal of the differential duties the country had saved £185,000. He read several extracts from American authors to prove that protective duties were not necessary to the establishment of manufactures when the country was fit for them, and that in fact the manufactures of the United States had grown faster before than since protective duties had been imposed.²²²

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On motion of the Honorable Mr. Badgley, seconded by the Honorable Mr. Macdonald, Ordered, That the Debate be adjourned until To-morrow, and be then the first Order of the day.

Then, on motion of the Honorable Mr. Badgley, seconded by Mr. Dubord, The House adjourned.²²³

FOOTNOTES: 26 AUGUST 1852.

1. NORTH AMERICAN, 9 September 1852, contained the following commentary on the subject of the reporting facilities in the House: "The arrangements for reporting are very defective. There are only two gentlemen here capable of taking full reports and the Quebec papers are not able to publish them when they are taken. Two more short hand reporters should be added, and the House should make an allowance to meet the expense. If this were done, full and impartial reports might be secured; and if the Newspaper Proprietors of Quebec, Montreal, Kingston, Toronto, Hamilton, and a few other towns, would join together, a daily Mirror of Parliament might be printed here, and packages despatched every evening by the boat. The publishers in the above cities could mail the "Mirror" to their subscribers as fast as it arrived and employ the columns of their own papers for comments and general news. Their readers would be pleased, and the general interests of the country promoted by a full and impartial exposition of the doings of the Legislature. I am endeavoring to initiate a scheme of the kind, but I fear there is too little spirit among the Press here, and too much niggardliness among the members of the House, of both, or rather of all parties, to take it up properly."
2. The following papers reported the debate on this matter in identical accounts: BRITISH WHIG, 28 August 1852, PILOT, 28 August 1852, GLOBE, 28 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852, MONTREAL GAZETTE, 28 August 1852, HAMILTON GAZETTE, 30 August 1852, BRITISH COLONIST, 31 August 1852, NORTH AMERICAN, 2 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, BATHURST COURIER, 3 September 1852, OTTAWA CITIZEN, 4 September 1852, and LA MINERVE, 28 August 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 27 August 1852, QUEBEC GAZETTE, 27 September 1852, MONTREAL GAZETTE, 30 August 1852, HAMILTON SPECTATOR DAILY, 1 September 1852 (which copied from MORNING CHRONICLE), HAMILTON SPECTATOR WEEKLY, 2 September 1852, BRITISH COLONIST, 3 September 1852, BRITISH WHIG, 3 September 1852, NORTH AMERICAN SEMI-WEEKLY, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, NIAGARA MAIL, 8 September 1852, NORTH AMERICAN, 8 September 1852, and OTTAWA CITIZEN, 11 September 1852; JOURNAL DE QUEBEC, 28 August 1852, LA MINERVE, 31 August (which copied, in part, from JOURNAL DE QUEBEC), and LE PAYS, 1, 3 September 1852 (which copied from JOURNAL DE QUEBEC). The following papers noted the debate in identical accounts: BRITISH WHIG, 27 August 1852, PILOT, 27 August 1852, MONTREAL GAZETTE, 27 August 1852, BRITISH COLONIST, 27 September 1852, OTTAWA CITIZEN, 28 August 1852, HAMILTON GAZETTE, 30 August 1852, NORTH AMERICAN, 2 September 1852, BATHURST COURIER, 3 September 1852, and NIAGARA MAIL, 8 September 1852. The debate was also reported by: OTTAWA CITIZEN, 11 September 1852; and L'AVENIR, 1 September 1852. Commentaries appeared in: HAMILTON SPECTATOR WEEKLY, 26 August 1852; NORTH AMERICAN, 9 September 1852; and LA MINERVE, 31 August 1852.
3. L'AVENIR, 1 September 1852, noted that "les débats sur l'adresse ont commencé à trois heures...." BRITISH WHIG, 27 August 1852, added that the debate on the address took "precedence of notices of motions."
4. L'AVENIR, 1 September 1852, which commented that Mr. Gamble's maiden speech "a été prononcé avec beaucoup d'aise et de facilité." BRITISH WHIG, 27 August 1852, reported that Mr. Gamble "occupied the floor for about 3 hours."
5. MORNING CHRONICLE, 27 August 1852.
6. BRITISH WHIG, 3 September 1852.
7. MORNING CHRONICLE, 27 August 1852.
8. BRITISH WHIG, 3 September 1852.
9. MORNING CHRONICLE, 27 August 1852.
10. IBID.
11. IBID.

12. BRITISH WHIG, 3 September 1852.
13. MORNING CHRONICLE, 27 August 1852.
14. References to the length of Papineau's speech during this debate are considerably discrepant. LA MINERVE, 31 August 1852, reported that Papineau "l'a commencé à six heures et terminé à huit heures et vingt-cinq minutes." BRITISH WHIG, 28 August 1852, claimed that he "occupied the floor for 5 hours;" and JOURNAL DE QUEBEC, 28 August 1852, noted that "ce discours a duré 2½ heures."
15. NORTH AMERICAN, 9 September 1852.
16. MORNING CHRONICLE, 27 August 1852.
17. JOURNAL DE QUEBEC, 28 September 1852.
18. MORNING CHRONICLE, 27 August 1852.
19. JOURNAL DE QUEBEC, 28 August 1852.
20. MORNING CHRONICLE, 27 August 1852.
21. JOURNAL DE QUEBEC, 28 August 1852.
22. MORNING CHRONICLE, 27 August 1852.
23. JOURNAL DE QUEBEC, 28 August 1852.
24. MORNING CHRONICLE, 27 August 1852.
25. JOURNAL DE QUEBEC, 28 August 1852.
26. MORNING CHRONICLE, 27 August 1852.
27. JOURNAL DE QUEBEC, 28 August 1852.
28. MORNING CHRONICLE, 27 August 1852.
29. JOURNAL DE QUEBEC, 28 August 1852.
30. MORNING CHRONICLE, 27 August 1852.
31. JOURNAL DE QUEBEC, 28 August 1852.
32. MORNING CHRONICLE, 27 August 1852.
33. JOURNAL DE QUEBEC, 28 August 1852.
34. LA MINERVE, 31 August 1852, which added: "Ces expressions si peu parlementaires furent reçues avec un murmure qui courait dans toute la chambre et s'étendit jusque dans les galeries."
35. MORNING CHRONICLE, 27 August 1852.
36. JOURNAL DE QUEBEC, 28 August 1852.
37. IBID.
38. MORNING CHRONICLE, 27 August 1852.
39. JOURNAL DE QUEBEC, 28 August 1852.
40. IBID.
41. MORNING CHRONICLE, 27 August 1852.
42. JOURNAL DE QUEBEC, 28 August 1852.
43. MORNING CHRONICLE, 27 August 1852.
44. JOURNAL DE QUEBEC, 28 August 1852.
45. MORNING CHRONICLE, 27 August 1852.
46. JOURNAL DE QUEBEC, 28 August 1852.
47. MORNING CHRONICLE, 27 August 1852.
48. JOURNAL DE QUEBEC, 28 August 1852.
49. MORNING CHRONICLE, 27 August 1852.
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146. MORNING CHRONICLE, 27 August 1852.
147. JOURNAL DE QUEBEC, 28 August 1852.
148. LA MINERVE, 31 August 1852, commented that Mr. Turcotte delivered "un discours véhément;" and MORNING CHRONICLE, 27 August 1852, described it as "a very violent attack upon Mr. Papineau...."
149. LA MINERVE, 31 August 1852.
150. JOURNAL DE QUEBEC, 28 August 1852.
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152. JOURNAL DE QUEBEC, 28 August 1852.
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202. MORNING CHRONICLE, 27 August 1852.
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206. LA MINERVE, 31 August 1852.
207. MORNING CHRONICLE, 27 August 1852.
208. IBID.
209. IBID.
210. NORTH AMERICAN, 9 September 1852, described the effect of Mr. Langton's speech upon various members of the House as follows: "Mr. Gamble sat just before Mr. Langton, and the expression of his countenance, as Mr. L., in a calm, straightforward, manly speech, defined his position, was a study for any painter. The effect upon the House was most gratifying: the Tories were 'struck into a heap;' Sir Allan bit his thumb-nail, and gazed thoughtfully at the Speaker's Chair; Ministers cheered, and looked very benignantlly at the member for Peterborough; Christie, White, Hartman, and Wright of Ontario, laughed and giggled, and winked knowingly at each other; MacKenzie rubbed his hands in glee; and Brown, instead of depressing the loose joints of his vertebral column, leaned forward, seized his pen, and began to write furiously; he did not smile, he did not look grave, and it would be hard to say what particular shade passed over his feelings at that moment."
211. MORNING CHRONICLE, 27 August 1852.
212. NORTH AMERICAN, 9 September 1852.
213. MORNING CHRONICLE, 27 August 1852.
214. NORTH AMERICAN, 9 September 1852.
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- 216. NORTH AMERICAN, 9 September 1852.
- 217. MORNING CHRONICLE, 27 August 1852.
- 218. NORTH AMERICAN, 9 September 1852.
- 219. MORNING CHRONICLE, 27 August 1852.
- 220. NORTH AMERICAN, 9 September 1852.
- 221. MORNING CHRONICLE, 27 August 1852.
- 222. IBID.
- 223. BRITISH WHIG, 28 August 1852, reported that "the debate on the Address continued until midnight," and added "no vote was taken, nor any amendment offered."

FRIDAY, 27 AUGUST 1852.

3 O'CLOCK, P.M.¹

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MR. SPEAKER laid before the House, the Accounts of the Trinity House of Montreal, for the year ending 31st December, 1851.

For the said Accounts, see Appendix (D.)

Also, Accounts of the Trustees of the Montreal Turnpike Roads, to 30th June, 1852.

For the said Accounts, see Appendix (G.)

Also, Statement of the Affairs of the Welland Canal Loan Company.

For the said Statement, see Appendix (H.)

And also, Statement of the Affairs of the Quebec and Richmond Railroad Company, to 31st July, 1852.

For the said Statement, see Appendix (I.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Wright of the West Riding of York,--The Petition of Edmund Coulson and others, of the Township of Toronto.

By Mr. Brown,--The Petition of the Reverend James Thom and others, Members of the Congregation of the Presbyterian Church at Three Rivers; the Petition of Kenneth M. Fenwick and others, on behalf of the Congregational Church at Kingston; the Petition of Duncan McColl, Esquire, and others, of the Township of Aldborough; the Petition of Thomas Renwick and others, of the Township of Romey; the Petition of the Municipality of the Township of Aldborough; and the Petition of John Moodie and others, of the Townships of Glenelg and Bentinck.

By Mr. Polette,--The Petition of Louis Guillet, Esquire, and others, of the Parishes of Ste. Anne and St. François-Xavier de Batiscan; and the Petition of the Reverend E. Chabot and others, of the County of Nicolet.

By Mr. Mongenais,--The Petition of the Reverend A.J. Martineau and others, of the Parish of Ste. Marthe, County of Vaudreuil.

By Mr. Mattice,--The Petition of William Hoople, Pilot, of the Township of Osnabruck, County of Stormont; and five Petitions of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary.

By Mr. Stuart,--The Petition of Mrs. Emily Mackie and others, the Ladies Committee of the Quebec Infant School; the Petition of B.S. Lafleur, of the City of Quebec, Water Bailiff of the Port of Quebec; the Petition of James Motz, of the City of Quebec, Esquire; and the Petition of Richard J. Shaw and others, of the City of Quebec.

By Mr. Fortier,--The Petition of William Crosbie Hanson, Esquire, of the District of Three Rivers; and the Petition of His Grace the Archbishop of Quebec, and others, Members of the Corporation of the Seminaire de Nicolet.

By the Honorable Mr. Chabot,--The Petition of Luc Letellier, Esquire, and others.

By the Honorable Mr. Young,--The Petition of the Right Reverend the Roman Catholic Bishop of Montreal, and others; and the Petition of the Montreal and New York Railroad Company.

By the Honorable Mr. Viger,--Two Petitions of the Corporation of the College of L'Assomption.

By Sir Allan N. MacNab,--The Petition of Mrs. Charlotte McCormick, widow of the late Sheppard McCormick, a Commander in the Royal Navy.

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By Mr. Egan,--The Petition of Louis M. Coutlée and others, of the County of Ottawa.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Toronto, Simcoe and Huron Railroad Union Company; praying for the amendment of the Act incorporating the said Company.

Of Charles H. Lassisseraye, Head-Teacher of the Educational Association of Three Rivers; praying for aid in behalf of the said Association.

Of Exercin Charlebois, and others, of the Village of St. Henri des Tanneries des Rollands; and of Maurice Goujon and others, of Côteau St. Pierre, and other places in the Parish of Montreal; praying that the Ordinance providing for the improvement of the Roads in the neighborhood of Montreal may be so amended as to exempt them from the payment of more than a certain rate of Toll in going from the said Village to the said City of Montreal.

Of the Reverend Antoine Duranseau and others, of the Parish of Lachine; praying to be exempted from the payment of Turnpike Tolls in going to and returning from their Church in the said Parish.

Of A. Ross and others, of the Township of Frampton; praying for aid to construct a Bridge over the River Etchemin, and to improve the main Road in the said Township, and that the said works be placed under the direction of the Board of Public Works.

Of J.D. Goslee and others, of the Township of Cramahé; praying that the boundaries of the new Township of Brighton may be more clearly defined.

Of Mrs. Julie Sicard and Mrs. Rose Moraud, formerly of Beloeil, in the District of Montreal; representing that they sustained severe loss through the occupancy of their house by the Provincial Troops during the troubles of 1838, and that they proved such loss during the first Commission appointed by Government for that purpose, but failed in so doing before the last Commission for want of information as to its sittings,--and praying that their claim may be admitted and placed on the list notwithstanding.

Of the Municipality of the Township of Guelph; praying that the Act 12 Vic. cap. 81, may be so amended as to dispense with the Oath of Office thereby imposed upon Township Officers, leaving it to the discretion of the respective Municipalities to enforce the duties of such Officers.

Of the Municipality of the Township of Guelph; praying the adoption of measures for the repeal of the Imperial Statute 14 Geo. 3, cap. 88, in order that the several Municipalities may have the full control of Tavern Licenses and Houses of Public Entertainment, and the appointment of Collectors of the Revenue therefrom.

Of the Municipal Council of the Town of Three Rivers; praying for the amendment of the Ordinances 17 Geo. 3, cap. 13, and 30 Geo. 3, cap. 7, and of the Act 59 Geo. 3, cap. 8, to prevent accidents by Fire in the late Province of Quebec.

Of Charles Pentland and others, of Tadousac and other Townships; praying for aid to open a Road through the Townships of Tadousac, Bergeronnes, Escoumain and Iberville, and that Mr. George Duberger be appointed to make the survey of the said line of Road.

Of R.D. Morkill and others, Trustees of the Sherbrooke Academy; praying the usual aid in behalf of the said Institution.

Of Gédéon Durocher, of the Parish of St. Aimé, in the County of Richelieu, Esquire, late a Candidate for the County of Richelieu aforesaid, and as such duly qualified, and Augustin St. Louis, of the place called William Henry, in the County aforesaid, Esquire, one of the Electors for the said County; setting forth: That at the late Election in and for the County of Richelieu of a Member to represent the said County of Richelieu in the Legislative Assembly of the Province of Canada, which Election was opened and begun in the Parish of St. Ours, in the said County,

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on the 28th day of November in the year of our Lord 1851, being the nomination day for the said Election, Antoine Némèse Gouin, of the place called William Henry, in the said County, Esquire, Jacques Dorion, of the Parish of St. Ours, in the County aforesaid, Esquire, Louis Flavien Dufresne, also of the place called William Henry,

Esquire, and the Petitioner, Gédéon Durocher, were the Candidates: That at the said Election a poll was demanded, granted, and proceeded with, and that at the closing of the said Election, to wit, on the 13th of December, 1851, the said Antoine Némèse Gouin was declared returned as duly elected by the Returning Officer, to represent the said County of Richelieu in Parliament, upon which occasion the said Gédéon Durocher tendered to the said Returning Officer a written protest against the Return of the said Antoine Némèse Gouin: That at and before the said 28th day of November in the year aforesaid, and at and during the time of the said Election, the said Petitioner, Augustin St. Louis, was and since hath continued to be, and still is, an Elector of and Voter for the said County, and as such had a right to vote at the said Election for a Member to serve in the Provincial Parliament for the said County of Richelieu: That by an Act of the Parliament of Great Britain and Ireland, intituled, "An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada," it is in effect enacted, in the 28th Clause, as follows:--"That no person shall be capable of being elected a Member of the Legislative Assembly of the Province of Canada, who shall not be legally or equitable seised as of freehold, for his own use and benefit, of Lands or Tenements held in free and common soccage, or seised or possessed for his own use and benefit, of Lands or Tenements held in fief or in roture, within the said Province of Canada, of the value of Five hundred pounds of sterling money of Great Britain, over and above all rents, charges, mortgages and incumbrances charged upon and due and payable out of or affecting the same; and that every Candidate at such Election, before he shall be capable of being elected shall, if required by any other Candidate, or by any Elector, or by the Returning Officer, make the following declaration:--"I, A. B., do declare and testify, that I am duly seised at Law, or in Equity, as of freehold, for my own use and benefit, of Lands or Tenements held in free and common soccage (or duly seised or possessed for my own use and benefit, of Lands or Tenements hold in fief or in roture, as the case may be,) in the Province of Canada, of the value of Five hundred pounds of sterling money of Great Britain, over and above all rents, mortgages, charges and incumbrances charged upon or due and payable out of or affecting the same; and that I have not collusively or colorably obtained a title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Assembly of the Province of Canada:" That by the Provincial Statute 12 Vic. cap. 27, sec. 49, it is enacted, "That it shall be lawful for any person with a view to his becoming a Candidate at any such Election, to make, at any time, as well before as after the date of the Writ of Election, voluntarily and without waiting to be required so to do, any such declaration as is mentioned in the next preceding Section; and that any such declaration so made voluntarily as aforesaid, shall to all intents and purposes have the same force and effect as if it had been made after his being thereunto required according to Law; but no such declaration, when any Candidate shall be required to make the same by any other Candidate, or by any Elector, or by the Returning Officer, in the manner hereinabove provided, need be so made by such Candidate, unless the same shall have been personally required of him on or before the day of nomination of Candidates at such Election, and before a Poll shall have been granted, and unless he shall not have already made the same voluntarily as he is hereinabove allowed to do, and not in any other case; and when any such declaration shall have been so required according to Law, the Candidate called upon to make the same may do so at

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any time during such Election; provided always, that it be made before the Proclamation to be made by the Returning Officer at the closing of the Election, of the persons elected at such Election; and when such declaration shall be so made by any Candidate, whether voluntarily or in consequence of his being thereunto so required as aforesaid, it shall be made either before the Returning Officer or before some Justice of the Peace, or the Mayor, or one of the Aldermen of some

City or Town in this Province, and such Returning Officer, Justice of the Peace, Mayor, or Alderman shall take the same, and shall attest it by writing at the foot thereof the words "taken and acknowledged before me," or other words to the like effect, and by dating and signing such attestation; and any Candidate who shall deliver or cause to be delivered such declaration so made and attested to the Returning Officer at any time before the Proclamation made by him at the closing of the Election as above mentioned in this section, shall be deemed to have complied with the Law to all intents and purposes as regards such declaration:" That the said Antoine Némèse Gouin being such Candidate as aforesaid for the Election of the said County of Richelieu, was, at the said Election, to wit, on the nomination day aforesaid, required to make such declaration by one of the Candidates aforesaid, to wit, by the said Louis Flavien Dufresne, Esquire, as provided by the said Statute: That nevertheless, notwithstanding the said Antoine Némèse Gouin was so personally required to make such declaration as aforesaid, before a Poll had been granted as aforesaid, he the said Antoine Némèse Gouin did not make such declaration when he was thereunto so required as aforesaid, nor did the said Antoine Némèse Gouin make such declaration at any time during such Election, and before the Proclamation made by the Returning Officer at the close of the Election of the said County of Richelieu, nor did the said Antoine Némèse Gouin make such declaration or any other declaration at the said time, or at any other times whatsoever: That the said Antoine Némèse Gouin was, in and by the Return to the Writ of Election for the said County of Richelieu made by the Returning Officer at the same Election, declared to have been duly elected to represent the said County of Richelieu during the present Parliament, as above alleged: That the Petitioners conceive and are advised, and do aver, that the said Antoine Némèse Gouin was not capable of being elected and chosen, and was unduly returned to represent the said County in the said Parliament, as well for and by reason of the said premises having relation to the said Antoine Némèse Gouin, as on account of the grounds and reasons hereinafter mentioned: Because a large majority of legal votes was recorded at the said Election in favor of the said Gédéon Durocher: Because the majority of the said Antoine Némèse Gouin, and a large number over the same, to wit, five hundred and more, was only a colorable majority, and was composed of persons not entitled to vote at the said Election: Because one thousand of the votes and upwards which purport to have been duly given and recorded as legal votes, for and on the behalf of the said A.N. Gouin, were those of persons who were not possessed, at the time of giving their votes at the said Election, for their own use and benefit as proprietors, by virtue of a legal title vesting such property in them, either in fee simple or in freehold under the tenure of free and common soccage, or in fief or en roture, or in franc aleu, or by virtue of a certificate derived and under the authority of the Governor in Council of the late Province of Quebec, or by virtue of any Act or Acts of the Legislature of either the late Provinces of Upper or Lower Canada, or of the Legislature of Canada, of Lands and Tenements lying and being in the said County of Richelieu, on which the said one thousand Voters respectively gave such their votes, and being of the clear yearly value of Forty-four shillings and five pence and one farthing, currency, to wit, the currency set forth in the Statute in that behalf, equal to forty shillings sterling, or upwards, over and above all annual rents, (rentes foncières,) or constituted rents, (rentes constituées,) or any other rents and charges payable out of and in respect of the same; and because such last mentioned Voters were not

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at the time of giving such their votes at the said Election, and had not been in actual and uninterrupted possession of the Lands and Tenements upon which they claimed and pretended to be entitled to vote as proprietors, according to the true intent and meaning of the Statute in that behalf, or in the receipt of the rents and profits of such Lands and Tenements, as proprietors as aforesaid, according to the same true intent and meaning, by virtue of and under such title as aforesaid,

for their own use and behoof severally and respectively, during at least six calendar months next before the date of the said Writ of Election, the said Petitioners averring, that the said last mentioned Lands and Tenements upon which the said last mentioned Voters claimed and pretended to be entitled to vote as aforesaid, had not come to them, nor to any one of them, by descent or inheritance, nor by devise, marriage or contract of marriage, and that they did not, nor did any one of them, have or possess any deed or instrument in writing containing a promise of sale (promesse de vente) in their favor, or in favor of any one of them, at the time they claimed to vote, and did vote at the said Election, of any property whereof they were then in possession, or in favor of any other person or persons through whom they held such property at the time of the said Return, so as to constitute a legal title vesting such property in the persons of such Voters; nor did the said Voters, or any one of them, have or possess any such deed or instrument, which not being a Notarial deed or instrument, had been duly enregistered twelve months before the said Election: Because the said A.N. Gouin, after the teste of the said Writ for the said Election, and at and during the said Election and before the Return of the said A.N. Gouin at such Election, did directly and indirectly, by himself and his authorized agents for that purpose, employ divers means of corruption by giving sums of money, offices, employments, gratuities, rewards, and bonds, bills and notes, and conveyances of lands, and promises of the same to divers Electors of the said County whose votes have been given and recorded in favor of him the said A.N. Gouin, and by threatening divers of the said Electors with the loss of their offices, incomes and advantages, with the intent to corrupt and bribe divers of the said Electors to vote for him the said A.N. Gouin, and to keep back divers others of them from voting for any other Candidate; and that the said A.N. Gouin did, during the period aforesaid, by the said means of corruption, corrupt and bribe divers of the said Electors to vote for him the said A.N. Gouin, and divers others of them to keep back from voting for any other Candidate: Because two hundred and fifty of the same persons voted more than once for the said A.N. Gouin, at the polling places for the said County of Richelieu, at the said Election, whereby each of the said two hundred and fifty persons last mentioned gave two or more votes in favor of the said A.N. Gouin, contrary to Law: Because two hundred and fifty persons so voting in favor of the said A.N. Gouin at the said Election, so voted at polling places not situate within the Parish containing the property qualifications upon which their votes were given: Because at the Parish of St. Pierre de Sorel, in the said County, on the ninth and tenth days of December, respectively, in the year One thousand eight hundred and fifty one, being the days of polling in the said Parish for the said Election, the said A.N. Gouin, his agents and partizans, did, long before the hour of polling, on each of the said days, take possession of the Poll House there, and did during the whole of the said days respectively, and until after the hours of polling, keep possession of the said Poll House, and did by force and violence, and by intimidation, exclude therefrom the said Gédéon Durocher, his Voters and Electors, partizans, agents, and friends, and did also exclude therefrom the said Jacques Dorion and Louis Flavien Dufresne, the others of the said Candidates, their Voters and Electors, partizans, agents, and friends: Because the said Poll House, in the said Parish of St. Pierre de Sorel was so taken possession of by the said A.N. Gouin, his agents and partizans, for the purpose and with the intention of facilitating the taking of illegal votes for and in favor of the said A.N. Gouin; and because in fact a large number of

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illegal votes, to wit, one thousand such votes and upwards, were taken and recorded at the said Parish of St. Pierre de Sorel in favor of the said A.N. Gouin, the said Petitioners averring that the ascertained number of votes in the said Parish of St. Pierre de Sorel is only seven hundred, and that, nevertheless, the said A.N. Gouin, at the said Election, polled and recorded in his favor, at the said Parish of St. Pierre de Sorel, twelve hundred and seventy-eight votes, no other Candidate at the

said Election having polled, received, or recorded any vote whatever in the said Parish, notwithstanding that the said Gédéon Durocher had Voters and Electors in his favor in the said Parish of St. Pierre de Sorel, to the number of two hundred and fifty and more: Because the number of votes purporting to have been given and recorded for and on behalf of the said A.N. Gouin was one thousand three hundred and thirty-two; the number of votes given and recorded for and on behalf of the said Gédéon Durocher was one thousand one hundred and seventy-three; the number of those purporting to have been given and recorded for and on behalf of the said Jacques Dorion was five hundred and ninety-eight, and that no votes were given or recorded for the said Louis Flavien Dufresne, as the same appears in and by the Poll Books of the said Election, thereby making the total number of votes taken and recorded in the said Election, in the whole of the said County, to amount to the number of three thousand one hundred and three: And because, inasmuch as the said A.N. Gouin had not then a majority of the total number of votes so counted and added up, and which purported to have been taken and recorded according to Law in all the said County, he the said A.N. Gouin was by the said Returning Officer unduly and illegally proclaimed as being duly elected a Member to represent the said County in the said Legislature, and the said Election was and is by reason of the premises null and void to all intents and purposes whatsoever: Because Joseph Octave Duplessis, the Deputy Returning Officer for the said Parish of St. Pierre de Sorel, refused and rejected the votes of persons legally entitled to vote at the said Election who presented themselves at the polling places to vote for the said Petitioner, Gédéon Durocher: Because of the gross partiality and illegal and improper conduct on the part of the said J.O. Duplessis, the Deputy Returning Officer aforesaid, for the said Parish of St. Pierre de Sorel, in favor of the said A.N. Gouin, operating injuriously against the election of the Petitioner Gédéon Durocher; the said J.O. Duplessis, as such Deputy Returning Officer, amongst other things having unlawfully rejected legally qualified Electors who presented themselves to vote for the said G. Durocher, being such Candidate as aforesaid, whereby others similarly situated were prevented from coming forward to vote for him: Because the said J.O. Duplessis, as such Deputy Returning Officer for the said Parish of St. Pierre de Sorel, at the said Election, conniving with the said A.N. Gouin, his partizans, agents and attorneys, and with a view and for the purpose of favoring the Election and Return of the said A.N. Gouin, did put down, write and inscribe, and cause and suffer, and more particularly one _____, the Clerk of the Poll in the said Parish of St. Pierre de Sorel, to put down, write and inscribe in the Poll Books of the said Parish, at the said Election, as Electors of and Voters for the said A.N. Gouin, a large number of names, to wit, one thousand names, of persons not qualified to vote as such Electors, and of persons who were not present at the said Poll House, but on the contrary thereof were absent from the said Parish during the said Election, and of imaginary persons and names having no existence whatever: Because, lastly, that at the last Election of a Member to serve in Parliament for the said County of Richelieu, the said Petitioner, Gédéon Durocher, was a Candidate then as now duly qualified as such, and the said Petitioner, Augustin St. Louis, was then and now is an Elector for the said County, and had a right to vote at the said Election; that at the said Election the said A.N. Gouin, the said Gédéon Durocher, the said Jacques Dorion, and the said Louis Flavien Dufresne, were the Candidates to represent the said County in Parliament; that the

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said A.N. Gouin was, by the Returning Officer of the said County, declared duly elected as a Member to serve in Parliament for the said County; that before and after the teste and issuing out of the Writ for holding the said Election, and at, during and after the said Election, the said A.N. Gouin did, by himself, his agents, friends, managers, partizans, and others on his behalf, by divers ways and means, directly and indirectly, give, present, and allow to persons having votes at such Election, money, meat, drink, entertainment, and rewards, and promises, agreements,

obligations and engagements to give and allow money, meat, drink, entertainments and rewards, and promises to and for such persons, in order that he, the said A. N. Gouin, might be elected, and being elected might serve in this present Parliament for the County of Richelieu; that the said A. N. Gouin by himself, his agents, friends, managers, partizans, and others on his behalf, was guilty of extensive and systematic bribery, treating, and corrupt practices, in order to procure persons having, or claiming to have a right to vote at the said Election, to vote for the said A. N. Gouin, or to forbear to give their votes for the said G. Durocher, or for the other Candidates at the said Election; and that such bribery and corrupt practices were open and notorious in the said County, and were well known to the Electors thereof; that the Return of the said A. N. Gouin was procured by the said corrupt and unlawful practices, by reason whereof the said Election and Return of the said A. N. Gouin was and is wholly null and void; and praying that the House will be pleased to take the premises into consideration, and to find and declare that the said Antoine Némèse Gouin was not duly elected, and that the said Gédéon Durocher was duly elected, and ought to have been returned as the Member to serve in Parliament for the said County of Richelieu, and order that the name of the said Antoine Némèse Gouin be erased from the Return made of the said Antoine Némèse Gouin by the Returning Officer of the said County, and the name of the said Gédéon Durocher inserted in the place and stead of the name of the said Antoine Némèse Gouin, and to grant to the Petitioners such other and further relief in the premises as to the House shall seem meet.

Of John Smith and others, of the Village of St. George, Township of South Dumfries; praying for the passing of an Act similar to that now in force in the State of Maine, for the suppression of drinking houses and tippling shops.

Of William Clarke, Chairman, and Charles Clarke, Secretary, on behalf of a meeting of the Inhabitants of the County of Wellington; and of Mrs. Martha J. Waterous and others, of the Town of Brantford; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal or mechanical purposes.

Ordered, That the Petition of James Hamilton and others, Trustees of the late Peter H. Hamilton, Esquire, of the City of Hamilton; the Petition of the Company of proprietors of the Champlain and St. Lawrence Railroad; the Petition of the President, Directors and Company of Port Burwell Harbour; the Petition of the Bank of Montreal; the Petition of the St. Lawrence and Atlantic Railroad Company; and the Petition of the Reverend J. D. Deziel, and other Priests, be referred to the Standing Committee on Standing Orders.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the First Report of the said Committee; which was read, as followeth:--

By the Rules adopted by Your Honorable House during the last Parliament in reference to Private Bills, it is required that all Private Bills shall be printed, at the expense of the parties interested therein, by the contractor for the Sessional Printing of the House, but no provision is made for securing to him the payment of his account for the same; and it has been represented to Your Committee by the

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contractor, (Mr. Lovell,) that during the last Session he was in some instances unable to obtain the amount of his account from the parties. With a view to remedy this difficulty, and to provide against future risk, Your Committee would respectfully recommend the adoption of a plan similar to that suggested by the Private Bill Committee last Session, in their 18th Report, namely, that parties applying for a Private Bill be required to pay into the Private Bill Office (irrespective of the fee of £15, payable in certain cases under the 70th Rule,) a sum sufficient to defray all expenses connected with the printing of the same.

Your Committee would also beg leave to submit that the number of copies of

Private Bills which, by the 67th Rule, are required to be furnished, has been found insufficient for the purposes of Your Honorable House, as the number required for the fyles, and the various offices and departments, leaves but a single copy for each Member; they would, therefore, suggest that the number be increased to two hundred and fifty.

Ordered, That the said Report be committed to a Committee of the whole House, for Tuesday next.

Ordered, That the said Report be printed for the use of the Members of this House.

The Order of the day being read, for resuming the adjourned Debate upon the Question which was on Tuesday last proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

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That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed

on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled districts:

That this House will consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest

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a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency

in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good;

And the Question being again proposed;--The House resumed the said adjourned Debate.

Mr. Dixon moved, seconded by Mr. Clapham, and the Question being put, That the Debate be further adjourned until Monday next, and be then the first Order of the day; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Brown, Burnham, Clapham, Crawford, Dixon, Dubord, Fergusson, Gamble, Hartman, LaTerrière, Lemieux, Macdonald of KINGSTON, Mackenzie, Sir A.N. MacNab, Malloch, Papineau, Ridout, Robinson, Sanborn, Seymour, Shaw, Smith of FRONTENAC, Turcotte, Valois, Viger, Willson, and Wright of East Riding of YORK.--(29.)

NAYS.

Messieurs Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Attorney General Drummond, Dumoulin, Fortier, Fournier, Gouin, Hincks, Jobin, Lacoste, Langton, Laurin, McDonald of CORNWALL, Marchildon, Mattice, McDougall, McLachlin, Mongenais, Morin, Paige, Patrick, Polette, Attorney General Richards, Rolph, Rose, Short, Sicotte, Stevenson, Street, Stuart, Taché, Tessier, Varin, White, and Young.--(40.)

So it passed in the Negative.

And the Question being again proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value and that the Returns of the Census recently completed furnish

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most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been accorded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps

which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled districts:

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That this House will consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settle-

ment of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good;

*And a Debate arising thereupon;*²

MR. CHRISTIE advised [the House of] an amendment to that part of the address, which expressed regret at the refusal of the Imperial Government to allow of interference with the present arrangement of the Clergy Reserves.--He felt no regret at this refusal, and he believed that if that property were interfered with, the property of every community in that country would go after it.³ He [continued:] "This is a degrading position--the people of England have no right to know what we want to do with those Reserves, and, Sir, I for one will never consent to our being put in the position of humble suppliant at the bar of the Imperial Legislature, begging their assent to a matter which belongs only to us. By such a course we virtually admit their right to legislate on the question. We have a precedent of this kind in the settlement of 1840, and what was the result, the bill passed by the Legislature of this country was rejected by the Imperial Parliament, and a different one substituted in its place. If we take this course we bind ourselves to take the worst measure which they may choose to send us.

"Before leaving this subject I feel it my duty to state that, although I do not apprehend any difficulty in this matter, if the Imperial Parliament refuses to give us our constitutional rights, I, for one, will be prepared to vote for a bill which on the face of it will say to the Imperial authorities: You have refused the just and constitutional demands of the Canadian people, we have taken this, and we will take all other local matters into our own hands, make the most of it."⁴ He cordially agreed too with what had been said by the hon. member for Two Mountains about our present forms & ceremonies at the opening of the House, &c. Taking a great interest in the fisheries, he denied what had been stated by some hon. members, that the fishermen were starving and would be greatly distressed but for the resort of the American fishermen to our shores. That was not true; on the contrary the American fishermen drove the others from the fishing grounds. In this way the French employed 26,000 fishermen on the coast of Newfoundland, while we had no fishermen there. This was the effect of the bounty given by their governments and there must either be a bounty given by us or fisheries must be abandoned. The hon. member commented on other parts of the address and set forth the evils of the Seigniorial tenure, the reform of which he contended the country demanded. With respect to the Legislative Council he stated that nobody had any confidence in that, & he was in favour of extending to it the principles of election. The hon. member made some further remarks but he was indistinctly audible in the Reporter's Gallery, from his position to, and distance from it.⁵

MR. BADGLEY agreed with most of the expressions in the speech and the address; but there were a few observations, which he felt it right to add. He contended

that the country was not in a prosperous state, and if the census had been completed the House would be in a condition to decide whether this was or was not true. For his part he did not believe in this prosperity of the country; for commerce was being depressed, and landed estate was lower in price now than it was twenty years ago. The high duties upon the necessities of life were almost prohibitory in Lower Canada, while the articles we manufactured were unprotected. Coming to political subjects he declared himself in favour of a reform in the representation, which he thought must be based upon population. The representation of England was well known to be the representation of classes, but we had none of these classes in Canada, except those of mercantile and agricultural men, and he believed that at present the representation in Lower Canada amounted almost to universal suffrage. The hon. member proceeded to say that the system of small holdings in Lower Canada was one cause of the emigration of the young men. Another cause was the low price of wages. While the wages here were 2s. 6d. a day, they were twice or three times as much in the United States. The young men would emigrate, while this continued, and the remedy for this was by manufacturing protection. Turning to the question of the Clergy Reserves, he expressed his happiness at the state of things in Lower Canada, where no bitterness of feeling prevailed, and he hoped the eastern section of the province would not, hereafter be agitated as the western section was. But he would not express his regret that the Imperial Government had refrained from bringing in an act to relinquish the right of legislating on the Clergy Reserves, inasmuch as the hon. member for Oxford had himself stated that even if a bill had been brought in for that purpose during the late session of the British Parliament, it could not have passed. He congratulated the ministry, however, upon the advance they had made in political knowledge since 1843. Then they resigned on the principle that the Governor General was the representative of the Sovereign; now they found out that he was only a minister of the Crown. There were many omissions in the Speech, which were justly to be complained of. There was, for instance, no mention of retrenchment of expenditure--no offer to improve the School system--nor any promise of reform in the judiciary system. He further contended for the protection of the fisheries. At the same time he thought without the words relating to the Clergy Reserves in the address, he should not have spoken at all.⁶

MR. FERGUSSON of Waterloo who spoke briefly,⁷ then addressed the House; but at the commencement of his remarks was very indistinctly heard. He was understood to advocate an elective Legislative Council--reform of the Court of Chancery, which if ministers were not prepared to take up, others were prepared to take it up in their place.⁸ In the main he liked the government now in office; wished they had mentioned law-reform in their programme--agreed in the propriety of the expression in the address relative to the Clergy Reserves--and would have been pleased had ministers seen fit to echo the public sentiment in his county, the largest constituency in the province.⁹

MR. BROWN said, the speakers had crowded so fast on each other that he feared injustice had been done the hon. gentleman in the Treasury benches. If any member of the administration desired to speak, he would be happy to make way for him.¹⁰

MR. PROV. SEC. MORIN begged Mr. Brown to proceed.¹¹

MR. BROWN: Mr. Speaker, if I rightly understood the Parliamentary practice, this debate should not be directed so much to the details of the measures suggested by the Speech from the Throne, as to elicit a full and free discussion on the political and commercial state of the Province, on the general policy of the Administration, and the confidence entertained in that Administration. And if, Sir, I am right in this view, it follows that it is necessary to a right conducting of the discussion that the House should be fully instructed as to the formation of the Administration, and the principles and measures to which it stands committed. Mr. Speaker, I am humbly of opinion that the House is not yet in possession of those

full, frank explanations it had a right to expect. It is true, the hon. Inspector-General has told us the mode in which he shuffled the Ministerial cards, how he swept one off the board, and brought another in his place--he detailed to us the mere outwork of the matter--but he altogether failed to explain to us the philosophy, the principles on which it proceeded, and even the outwork was not satisfactory. He told us that the retirement of Messrs. Lafontaine and Baldwin called him and the Hon. Provincial Secretary to the head of public affairs, and that they formed the Ministry now sitting on the Treasury Benches. But the hon. gentleman forgot to tell us that one gentleman who now sits there, refused to accept office unless another gentleman went with him, and that he (Mr. Hincks) resolutely resisted the proposition; he forgot to tell us why he at last yielded to the demands; he forgot to tell us that the gentleman who now sits as President of the Council was at first appointed Postmaster-General without the consent of the gentleman who then (as now) occupied that office; he forgot to tell us that the gentleman as appointed was despatched to trumpet through the West the praises of the new Ministry, and that he was no sooner gone, and had put his endorsement on the new combinations beyond recovery, than he was coolly turned out of his place and gazetted to an office he had long declared "useless," and which he could not accept without ruin to his reputation. He forgot to explain why this second commission was sent back, and he forgot to tell us how the gentleman who had made a sine qua non of having his friend along with him, no sooner killed him off by this operation, than all his nicety ceased, and he stuck to his office for months without his friend. The hon. Inspector-General forgot, too, to tell us that the Solicitor-Generalship East was offered to a gentleman who now sits in this House, and his reasons for refusing it. These are details on which I think we were entitled to the fullest explanations.¹² Perhaps these explanations should come from the opposition, and he supposed, as there was so much harmony between the two sides, that he ought to have looked to the conservatives for them. (Laughter)¹³. But it is in regard to the principles on which the Ministry was formed that the total absence of satisfactory explanations must be felt more deeply by the House. The Inspector-General tells us the Administration is formed "on progressive principles," and he seems to think that statement sufficiently explicit for all purposes. He said there had been divisions in the Reform party, and it was necessary to secure the co-operation of both sections¹⁴ in order to gain unanimity¹⁵--and there being "no serious differences of opinion between them," the Commissioner of Crown Lands and President of the Council had been brought into the Ministry to represent the ultra section of the party. Sir, I was more than astonished when I heard the Inspector-General make this statement. No serious difference of opinion? What can possibly be a "serious" difference in the eyes of the hon. gentleman? There is not one principle of constitutional government, not one prominent measure before the country, on which they were not wide as the poles asunder.¹⁶ And there was just as much estrangement of feeling between them as there was difference of opinion.¹⁷ In the whole history of free institutions, where will a parallel be found for the bitter unscrupulous opposition waged¹⁸ so fiercely¹⁹ for two years by the present chief of the Executive Council and his allies, on the hon. Inspector-General and his colleagues? And yet we are gravely told there was no "serious difference" between them. When Parliament last sat they were ranged against each other in fierce battle array,--a few months pass, and lo, there they sit together in sweetest harmony. And they think no explanation of the mystery is necessary? Sir, the honorable gentlemen must have forgotten their true position²⁰, and ... what they had said of one another.²¹ Events have slipped on so gradually--the gentleman have got so snugly²² [and] so safely²³ ensconced in their ministerial chairs--that they have come to regard all that has passed as quite natural and proper. With the leave of the House, I propose to recall the strange scenes through which we have passed during the last few months, and to endeavour to impress on the minds of these gentlemen, if I can, a just appreciation of the

extraordinary spectacle which they present in the world, and the necessity of their offering more ample explanations. Mr. Brown then glanced at the state of parties of and after the rebellion, and paid a passing tribute to Earl Durham, and his admirable report, enunciating responsible government as the grand remedy for the troubles of Canada. He touched on the constitutional changes effected by Lord Sydenham, and showed the manner in which the Lower Canada members of French origin became united in political fraternity with the Liberal party of Upper Canada during the reigns of Sydenham and Bagot. He glanced at the leading political events of the Metcalfe Parliament, acknowledging the firm manner in which Mr. Lafontaine and many members now in the House had stuck to their Upper Canada allies, in spite of the reductions of office, and showed how cleanly the alliance had been cemented by the events of that period. The result of the elections of 1847-8 was the triumphant success of the Reform party at the polls, and the consequent accession to power of the Baldwin-Lafontaine Ministry. From the very formation of that Ministry, said Mr. Brown, a principle of separation began to show itself in the Liberal party, which gradually forced a breach in the ranks, and finally broke up the Ministry. That principle of separation, sir, was found in the difference of opinion as to the employment of public money for sectarian purposes. Our allies in Lower Canada are in favour of a close connection between church and state, while the Reformers of Upper Canada are opposed to it in every shape.²⁴ On that ground ... [they] were unanimous²⁵. We not only oppose the payment of money for sectarian purposes, but we say that religion is a matter between each man and his Maker and that the Government has no right to determine for the country what is truth, but ought to leave a matter so sacred to the conscience of each member of the commonalty. It has been affirmed in this debate by hon. gentlemen opposite, that the people of Upper Canada are not really in favour of these views. We have been asked where are Messrs. Baldwin, Price, Morrison, Notman and others who were prominent advocates of the secularization of the Reserves? And where too, sir, are Henry Sherwood, and John Hillyard Cameron, and William Cayley and George Sherwood, and the Chryslers, and McLeans, and Dickson, of High Church celebrity? How is it that they have vanished from the political stage? None knew better than the honorable gentlemen opposite that the distinguished Reformers named lost their elections, not from their taking strong views on the ecclesiastical questions, but from the belief on the part of the electors that they were not firm enough upon them. Why, sir, the great difficulty was to convince the constituencies that any one was sound enough or went far enough on these exacting questions; and no better evidence of the state of feeling could be given than that the hon. President of the Council opposed me in the county of Kent on this score, and gravely asserted before three public meetings that I had received fifty thousand dollars from John Toronto, and was a High Churchman in disguise! The hon. gentlemen opposite know well that the divisions in the Reform camp alone gave them a change at last election; and I hesitate not to affirm that if an appeal should ever be made to the people of Upper Canada on the question of state endowments to the Church, it will leave the benches opposite almost vacant. Who could seek a better evidence of the state of feeling in Upper Canada than the election addresses of the gentlemen opposite? Did one of them dare to avow the old claim of monopoly for the Church of England? Will the gallant knight who leads the High Church party venture to say that even he could have been returned for the city of Hamilton, had his declarations on these questions been of the old stamp? Will the hon. member for Middlesex say that he could have obtained his seat on High Church principles? And what could be more overwhelming than the manly speech of last night from the Conservative member from Peterboro? Why, sir, the sentiments of the gentlemen opposite are waxing more moderate every day, and it will not be long ere they will give their testimony fully for secularization.²⁶ He could boldly state that the vast majority of the people were for ... secularization, and this was shown in the difference of tone on the conservative side of the house, and

even in that of the Bishop of Toronto.²⁷ The people of Upper Canada, Mr. Speaker, feel intensely on this question. It has been the grievance of the country for 30 years. And if the gentlemen from Lower Canada would understand how the bitterness which flows from it affects every relation of life whether social or political, they would not wonder at the eagerness to have it settled for ever. In this country, a large proportion of the people are of one faith, and it appears not so odious to give that church's preference; all I ask them, if a sect or two sects, forming a small minority--a mere fraction of the community, engrossed all the honours and emoluments of the State, and asserted a position of dominancy over the majority, whether they would not have united in one man for the overthrow of such a system? This, then, Mr. Speaker, was the question of Upper Canada, and the Reform party fully expected that the first act of the Baldwin-Lafontaine ministry would have been to settle it forever.²⁸ The Upper Canadian ministry owed all their influence to this question²⁹. Unhappily the Rebellion Losses Bill³⁰, which no member of the reform party out of the ministry had ever heard of,³¹ obtained the preference, and the Reserve question was sent adrift for the Session. That Bill was introduced into Parliament, I am well convinced, without the knowledge or consent of one member of the Upper Canada Reform party not in the Government;³² and it was understood in the party that it would be postponed for a year.³³ Every one knows the convulsion it produced in the Country--and that in standing by their Lower Canada allies upon it, the Reformers of Upper Canada were well nigh upset. Sir, I have no doubt whatever that at that time, and for many months afterwards, the Upper Canada Section of the Ministry fully believed and entertained no doubt that their Lower Canada colleagues would give them a cordial support when the day of trial came on the Reserve question. I think it was not until just before the Session of 1850, that they found their mistake--and I entertain not the slightest doubt that Messrs. Baldwin, Price, and Hincks, strove to have the settlement of the matter made a Ministerial question. When Parliament met in May, 1850, it was announced that it was to be an open question, and it was apparent that the other ecclesiastical subjects of dispute in the Western province, were to be sacrificed to the Lower Canadian allies.³⁴ Here began that split in the party which went on constantly widening.³⁵ It might have been a question whether the Upper Canada ministers should not then have resigned and cast themselves on the country. I confess, sir, that I was one who then thought that it was not their duty to resign at that moment. The French Canadians were willing to vote for an address to the Crown asking the transfer of the control over the Reserves to the Provincial Parliament--and it was well to take their help even to this extent. But far beyond this was the consideration that if they then resigned, and new parties were formed, the unjust arrangement of the constituencies of Upper Canada would be a strong bar in the way of our success of the coming general election. It was the obvious duty, then, of the Upper Canada ministers to seize the opportunity and prepare for any event by reforming the Parliamentary representation--and their neglecting to introduce a Bill extinguishing some of the small boroughs, and rearranging the counties, --which they had full power to do by a majority vote--excited the first doubt in my mind as to the firmness of the hon. Inspector-General and his colleagues on these vital questions. Mr. Speaker, there were those who knew the difficulties which retarded the settlement of these matters, and there were those who did not, or affected not to know them. Is it to be wondered at, that the country was becoming dissatisfied, and that a new party was arising who denounced the Ministry, so faithless to their trust and to their principles? It matters not now to enquire the motives which originally actuated those who commenced the agitation within the Reform party against the leaders of that party. They saw everything with distorted vision, and denounced without measure. The resignation of a member of the then Government, the Assistant Commissioner of Public Works, gave them an unexpected advance.³⁶ The present hon. member for Huron ... gave several reasons for the course which he took at that moment. Here Mr. Brown gave an account of these

several reasons amounting to some twelve or fifteen each of which produced a fresh roar of laughter in the House.³⁷ That hon. gentleman gave as an official cause of his resignation, that he had been "shamefully treated and deceived" in regard to the Commissionership of Crown Lands. But he was not long out of office, when we were told that he resigned on the score of "retrenchment;" he declared that he and his brother Commissioner, had not work enough between them to occupy one of them for two hours a day, though it was passing [*sic*] strange that he only discovered it at the end of two years' enjoyment of the sinecure, and at the moment of a vacancy in the Crown Land Commissionership. But this was not all; another reason was soon given us for the gentleman's retirement in his desire to discharge Dr. Ryerson from the Superintendency of Education; then again we were told about a mammoth scheme of retrenchment which the hon. gentleman concocted, but his colleagues would not adopt; a little later were told that the Presidency of the Council was "useless," but he had failed to get it abolished; again a little later, and we heard of a road through every county, advocated but rejected, as the secret of the rupture; and later still, the refusal of his colleagues to discharge a regiment of useless clerks from the Crown Lands Office was the ground of resignation. The election for Halton turned the public mind from the topic, and it is a curious matter of speculation from how many additional causes for that gentleman's resignation that event delivered us. Mr. Wetenhall's defeat, and the hon. member for Huron's share in it, everyone knows well. The cry of "useless offices" and "retrenchment" was dinned into the ears of the electors and, coupled with the fact of Mr. Wetenhall's illness, it gave a victory to the dissentients, and secured the return of Mr. Hopkins. Yet, sir, there sits the hon. member for Huron, in the very office he then proclaimed to be useless³⁸.

Hear, hear, from MR. PRES. EX. COUN. CAMERON.³⁹

MR. BROWN [*resumed:*] Although the "useless" Assistant Commissionership of Public Works is still in existence, although the Crown Land brigade has been increased and not diminished--and though extravagance prevails to an extent unknown before. I perfectly understand the hear, hear of the hon. member for Huron. He means to remind us that new duties have been added to this office since he denounced it as useless. Let him, sir, have the benefit of the gauze veil he would cast over the picture--I ask him if he did not consent to join the Ministry with another in the same office without any additional duties? And what signifies it, to the country, whether the office was held by him or by another, so long as it was "useless" and the maintenance of it a job? The hon. gentleman professed that his conscience would not let him remain in the Baldwin ministry with a useless office of £630, and yet he gladly joins the Hincks ministry, with a job of £800! Surely the immorality rested not in the comparative smallness of the sum! Can a job of eight hundred be more endurable than one of six hundred? Shortly after the Halton election, the new⁴⁰ ultra⁴¹ party was regularly formed⁴² and it was this party the Inspector General--whose views were well known--united.⁴³ Meetings were held through the country--principles and measures were discussed--platforms were constructed, and every effort made to win popular sympathy. Fortunately we are not left in doubt as to the principles preferred. Markham was the theatre of the grand demonstration, and there the late lamented Mr. Perry enunciated the groundwork of the new party. We find among other doctrines those of elective institutions "the whole length"--universal suffrage--vote by ballot--no qualification--biennial parliaments--fixed elections--retrenchment of "some £500,000 to £600,000 a year,"--and a judge in every township at £100 a year--prominently set forth. And the same principles were even more formally enunciated in the organs of the party. The North American, of Toronto, at present the organ of the gentlemen on the Treasury benches, proclaimed as the principles of the party--"The election of our governor; an elective legislative Council; election of all local officers by the County and Town Councils; no property qualification; vote by ballot; biennial and

fixed parliaments; reform in the representation based on population; no pensioners," &c. Some of them very excellent propositions, but others involving revolution. And we have yet better evidence as to the principles of the new aspirants.⁴⁴ By and by the party found itself on the floor of the House & let the people know their principles.⁴⁵ The representatives of the party in the House of Assembly took up a bold position in the Session of 1850, and in the Journals of the House we have their views unmistakeably rendered. I find then, sir, that on the 3rd June 1850, Mr. Boulton, seconded by Mr. Papineau, moved to erect "a convention, elected by the people entitled to vote for members of the Legislative Assembly, to establish such a constitution for this Province as they shall think proper"--and that these voted for this motion, Cameron of Kent, Boulton of Norfolk, Hopkins and others, and against it Messrs. Hincks, Drummond, and others. On the 5th of August, it was moved that it was "expedient to introduce the elective principle into the constitution of the Legislative Council, and generally into all appointments to office under the Government of this Province"--and among the yeas are found Mr. Cameron of Kent, Boulton, Hopkins and others. On 3d June, 1850, I find that a motion was made to divide the Province into electoral districts without regard to present divisions, when Cameron of Kent was recorded among the yeas, and his present colleagues, Messrs. Hincks and Drummond, are found among the nays.⁴⁶ He wondered what the hon. member for Huron would say, if he (Mr. B.) were to move for copies of these resolutions now?--Whether the hon. member would not set him down for an obstructive? How did the ministry stand before the country now? The hon. Secretary for the Province declared that he would never consent to representation based on population, and last year the hon. Inspector General had declared that no wise statesman would consent to such a principle.⁴⁷ Mr. Brown then proceeded to read from the journals a vast number of extracts, showing that Mr. Cameron and his friends were at direct issue with Mr. Hincks and his friends as to the property qualification of members of Parliament--fixing a time for the convening of Parliament--the expenditure of money without a special act of Parliament--the abolition of all pensions--representation by population--the election of County officials--the possibility of retrenchment--and on almost every other important question.⁴⁸ [He] asked why there was nothing about these things in the Speech, since Mr. Cameron always voted for them.⁴⁹ He then took up the minutes of the celebrated Finance Committee and showed that the widest difference existed on points of detail--that the Cameron party had denounced a Cabinet larger than six members, had declared the Assistant Commissionership of Public Works and the Presidency of the Council "useless," and had formerly favoured sweeping reductions on every salary under the Government from the Governor-General downwards. The recital excited no little amusement in the House.⁵⁰ He [also] ... read the economic votes of Mr. Cameron, as, for instance, those in favour of £200 for the Speaker; £3,000 for the Governor General; ... of limiting the Collectors of Customs to £3000, &c.; in favour of the abolition of the office of the Chairmanship of the Committees.⁵¹

MR. PRES. EX. COUN. CAMERON--Hear!⁵²

MR. BROWN understood the hon. member's hear! He knew that he meant to say he had other offices joined with the chairmanship of committees; but he now asked whether the hon. gentleman had not consented to join an administration, in which an hon. member was to have that office without other duties? Was it not as bad to sanction this abuse in another as it was to practice it himself?⁵³ Here, then, continued Mr. Brown, we have an unimpeachable record of the views of the two sections of the Reform party; and in the face of all this the hon. Inspector-General ventures to tell this House that there was no "serious difference of opinion" between them; and, sir, the discordance between them was no less violent than the disagreement as to principles and measures. I hold in my hand a number of old extracts from the organs of the new office of the Inspector-General, showing the bitter, the savage hostility, with which they regarded that gentleman and his

colleagues. "Highway robbers," "unprincipled swindlers," and other terms were used towards them which I cannot bring myself to utter. However lax may be the political morality of the hon. Inspector-General, I gladly disclaim sympathy with such insinuations, and have always been ready to defend him from attacks on his personal integrity, which I believe beyond reproach. Now, it may be contended that only one member of the Administration is identified with the ultra views which we have seen recorded on our journals; but, sir, I contend that to every one of those views the hon. Commissioner of Crown Lands is committed as fully as his colleague. He was the silent instigator and counsel of the new party in its conception--he was in public and in private regarded as the leader of that party--as the representative of these views he was elected by the people--and as the representative of these views he was forced into the Government. It is true, the hon. gentleman had managed with wondrous skill to cover his real sentiments with an impenetrable mask, and to this moment beyond a few vague generalities, we know nothing of his sentiments--but, sir, silence gives consent, and if the hon. gentleman does not hold the views of the member for Huron, this country has been shamefully deceived. Thus opened the session of 1851--the ministerialists hoping against hope that their leaders would yet be true to their party and their principles on the great questions of Upper Canada--and the secessionists eager for war. The ministerial policy was too soon developed, and it became apparent that the Western members of the Ministry had succumbed to their French Canadian allies, and that the Reserves, Rectories,--everything, was to be sacrificed to their demands. How the hon. Inspector-General meant to go to the country in the face of such a course was a mystery to every one--but on the retirement of Mr. Baldwin⁵⁴--always consistent with his principles--⁵⁵ after the Chancery Court division, the secret was discovered. That event placed the Inspector-General in the leadership of this House, and on the night of his inauguration he used the following language:--

"I regret to say there have been indications given by a section (the Anti-State Churchmen)--of the party to which I belong, that it will be difficult indeed, unless they change their policy, to preserve the Union. I will tell those persons (the Anti-State Church Reformers of Upper Canada,) that if the Union is not preserved by them, as a necessary consequence other combinations must be formed by which the Union may be preserved. I AM READY TO GIVE MY CORDIAL SUPPORT TO ANY COMBINATION OF PARTIES BY WHICH THE UNION SHALL BE MAINTAINED."

The gallant Knight who leads the opposition promptly replied to this overture:--

"I will only say, and I want it to go over the country, that I will do all I can to prevent a Clear-Grit party rising through the land, and will support any party to prevent that."⁵⁶

SIR A. MACNAB--That is correct!⁵⁷

MR. BROWN.--Of course it is correct, and the most amiable understanding existed then, as now, between the high contracting parties.⁵⁸

SIR A. MACNAB denied that he had held on any occasion, any political conversations with any member of the government at any time, except in the House.⁵⁹

MR. BROWN.--The hon. member for Hamilton denies that he had any understanding with the hon. Inspector-General; and, of course, such is the fact. But, at the time I speak of, the feeling was universal that an alliance between them was at hand; the press spoke freely of it, without contradiction; and certainly every vote of the session, on Upper Canada questions could only be explained by such a supposition. The North American newspaper ought to be excellent authority with the present Administration; and on 27th June, 1850, it used the following language:--

"* * * These hasty likenesses of some of the principal performers of the farce of Jim Crow in Canada will convince our readers that there are more unlikely things under the sun than a coalition ministry. If they have not already marked the

indication in the horoscope of such a change--Hincks, McNab, and Price, with their love of office; Baldwin, with his influence, although opposed to progress; and Cameron, with his hopes and nisi prius eloquence--would make a strong hand for the game of political whist in the House of Parliament, supported, as they would be, by ex-Inspector-Generals, ex-Attorney-Generals, and a host of expectants and damning votes from Lower Canada. But would the country like to play it? We think not. We tell them, plainly, that such a game is about to be attempted, and put them on their guard in time. * * * The general election is at hand: the electors of Canada, before many months, will be required [sic] to express their approval or disapproval of the acts of the Ministry now holding office. WHETHER THE UNION OF WHIGS AND TORIES IS CONSUMMATED BEFORE THAT TIME OR NOT, LET THEM REMEMBER THAT SUCH A SCHEME IS IN TRAIN, AND LET THEM NOT BE LED ASTRAY BY WILY PARTIZANS, WHO MAY DENY ITS EXISTENCE."

So stood matters, when suddenly it was rumoured that negotiations were afloat to bring into the ministry two leaders of the ultra Radical party. A day or two later, and the statement was distinctly made, in two of the city papers, that Dr. Rolph and Mr. Cameron were to join the Ministry, on the retirement of Mr. Lafontaine. The hon. member for the city of Toronto brought the matter at once before the House by a direct inquiry from the Government as to the truth of the allegations. The Inspector-General, thereupon, gave the whole rumour a flat contradiction, and used these words:

" * * * As to the second question, relating to propositions by or to the Government, he begged to say that nothing of the kind had taken place notwithstanding the various mysterious paragraphs to the contrary, in several newspapers. * * * The whole of these alleged important negotiations had reference altogether to the press, and not to any new formation of parties."

A city paper of the following day explained that of course there had been no negotiation with "the Government,"--that the rapprochement was entirely a personal and party matter. The hon. Inspector-General that same morning, on the opening of the House, rose with a copy of that paper in his hand, and pointing to it, said:--

"He saw there an insinuation that when he alleged that Government had nothing to do with these negotiations, he had, in fact, screened himself behind the word Government; and that he (Mr. Hincks) had carried on the said negotiations himself. He believed no member of the House would think that he had attempted to screen himself behind a quibble; and he repeated now, that the negotiations had reference to only one object--the establishment of a newspaper."

It will be in the recollection of many members of the House, that the hon. Attorney-General East spoke of the whole thing as a piece of cruel "sarcasm,"--and that several members of the then Government gave it the most indignant contradiction. But in the midst of these denials, while the fever yet ran high, there suddenly appeared, simultaneously, in the organs of the ultra party, the formal and explicit announcement that the negotiations were completed, and the alliance fully ratified. It seemed to have been felt that "something must be written", and this famous manifesto, from a no less famous pen, was in answer to the demand.⁶⁰

MR. INSP. GEN. HINCKS here said warmly that the hon. member was accusing him of falsehood. He repeated that he had not and could not have entered on such negotiations till he was charged to do so by the representative of his sovereign.⁶¹

MR. BROWN: The Hon. Inspector-General says I am charging him with falsehood, but it was for him to prove that he did not--and I challenge the Hon. Attorney-General East to rise now in his place and say if he knew one whisper of this coalition until he saw it proclaimed in the public press⁶² [or] whether these arrangements were not studiously concealed from him till they were entirely completed.⁶³ I merely recount facts patent to the whole country; but if the hon. gentleman draws such conclusions from these facts--it only increases my astonish-

ment that he did not think it necessary long ere this to clear himself from the impeachment. Sir, we are in the fourth night of the debate, and the blame is with the Inspector-General and his colleagues that we are under the necessity of forcing from them explanations on scenes so deeply affecting their honour. Mr. Brown then proceeded to read from the celebrated Rolph manifesto--as taken from the Examiner of 13th August, 1851:--

"In our last number we stated that all negotiations for an union of the Reform party had definitely failed. By us of the fourth estate, and our political friends, it was so supposed,--but through the intervention of some influential Reformers from neighbouring Counties, the attempts to fulfil the important object of a consolidation of the party were renewed, and successfully and satisfactorily carried out. Without prematurely entering into particulars, we distinctly aver that the above arrangements have been effected without the compromise of principles. We further learn, upon unquestionable authority, that all intention is utterly abandoned of establishing in Upper Canada a new Government paper called the Union, in the interest of Mr. LaFontaine, who is at the head of the Cabinet, which he undoubtedly sways with his acknowledged ability and energy of character.

"Our readers, therefore, are most distinctly to understand, that henceforth the term ministerialist is to be regarded, by common consent, as a political misnomer, and that no man who so distinguishes himself from the great body of Reformers can be received by them as a candidate at the next election. We have satisfied ourselves that the liberal members of the Cabinet and of the Assembly, still individually and cordially entertain the above sentiments; and further that they are thoroughly imbued with a sincere disposition to carry out those principles and measures which ever have and ever must distinguish our party. This is a great and unquestionable point of agreement, by which we obtain in a manner satisfactory to us and our friends here, unity of Party sentiment, of purpose and of action, at the approaching contest.

"We wish our readers to notice that we object against any man, not because he has been a ministerialist, but because he would divide the now united party by claiming as a ministerialist a political status in some way or degree distinct from that of the Reformers. If a man in his party zeal, in or out of Parliament, has lent an undue support to a once popular Ministry in whose mistaken policy he has become involved, we would repose confidence in him again, if he had heretofore honourably sustained and still sincerely professed, without other grounds for distrust, the principles of the party. It would, in our estimation, be a faithless thing to talk of a union of the party, when we ostracized those with whom we professed to join, and failed in truth and candour to judge a righteous judgment upon the character before us. But let the notorious Toadies in and out of the Legislature, serve a full apprenticeship before again claiming or receiving a renewal of public confidence. Let every constituency judge of the candidate by his past political character and reputation for sincerity and truth. Let there be a searching inquiry into his soundness and fidelity upon all vital points of civil and religious liberty: the secularization of the Clergy Reserves--the Rectory question--Parliamentary, Electoral and other progressive reforms demanded by the people."

There, then, Mr. Speaker, we have duly recorded the condition of the hon. gentlemen on the Treasury benches, coupled with the strange assurance that it was effected "without the compromise of principle" Sir, I call upon the Inspector-General, and especially on the Commissioner of Crown Lands, and on the President of the Council, to explain to us the nature of this wonderful compromise--to define to us the common ground for principles so antagonistic, for men so hostile. This manifesto announced that it would be "a faithless thing" to "ostracize those with whom they professed to join." But were not all whom the combinationists did not take under their favour sought to be ostracized? Were not the honourable Mr. Price and Mr. Morrison--two as thorough voluntaries as this House contained--

deliberately ostracized by the unionists for the benefit of the Tories?⁶⁴ He ... asked whether ... [Mr.] Baldwin ... had not been ostracized⁶⁵. I desire to have the fact marked well, that while the more moderate section of the party never hesitated between an ultra and a Tory, the other wing used no such discrimination and lost several constituencies to the party. But this is a digression. Let me call the attention of the House to the fact that the manifesto announcing the coalition was published on the 13th August. The grounds of compromise had then been settled--the agreement was duly signed, sealed and delivered. Now, sir, Parliament sat for some weeks afterwards, and what do we find as the result of the coalition? Are we to look to the votes of the combinationists for the solution of the problem as to the terms of the compromise? If so, how shall we reconcile the outrageous votes which rapidly followed each other on Reserves, Rectories, Ecclesiastical Corporations, Sectarian schools, Money grants, Parliamentary Representation, the Marriage bill, &c.,--all quite satisfactory to the hon. gentlemen opposite, but most hateful to Reformers.⁶⁶ On all of ... [these] important questions ... the hon. member for Oxford voted with the gentlemen on the other side of the House⁶⁷. Were these votes in harmony with the compromise?--or was it a condition that the Inspector-General should roam at large for a few weeks longer--that he should do all the harm he could during the remainder of that session, that he might undo it in this? Did the Inspector-General seek to blacken his career that his reformation by the hon. member for Norfolk might be the more apparent when it came?--or were these strange votes deemed to be no "compromise of principle?" Let me read to the House what the Examiner, one of the organs of the combination, said on this head on 17th September, 1851:--"The conduct of the Inspector-General in the House, since the compromise was mooted, has given the lie to all his professions of union with the old Reformers upon their principles, and we have therefore repeatedly directed the attention of the people of Oxford to his votes, as indicating that he was utterly unworthy of the confidence of that or of any other constituency who set any proper estimate upon moral conduct. His public conduct has been destructive of religious liberty and equality; his signing the round robin to Mons. Lafontaine is marked either by the deepest treachery or hypocrisy--and his repeated denials that there had been any arrangements towards a compromise, stamp this individual as one of ... the most unscrupulous of politicians--and as a man utterly undeserving of the respect or confidence of any constituency."

From that day to this, Mr. Speaker, not one word of explanation had been heard as to the terms of the compromise. Before the general election we strove in vain to get at the secret,--not even in the contest was any satisfactory explanation attempted to be offered. The hon. Inspector-General assured his constituents that the composition of the Government should be sufficient guarantee to them for the policy to be followed; the Chief Commissioner of Public Works told his constituents that the character of his colleagues must be the guarantee for their measures; and the organ of the Union told the country generally that the presence of the members for Norfolk and Huron in the Ministry was sufficient guarantee for anything. We were told last session, when we asked for explanations--wait until Parliament assembles; and now that Parliament has met,--we are yet without a word of explanation. Sir, I think we should not have been compelled to extort explanation in this manner from gentlemen on the Treasury benches. I think, sir, they should have given them freely and fully long ere this, and I cannot doubt that they will do so without further delay. We have a right to clear information on two points,--first, how did two sections from Upper Canada harmonize their antagonistic opinions on so many vital constitutional principles?--and, second, how did these gentlemen overcome the difficulty which the State-Church principles of the Provincial Secretary and his countrymen presented to a settlement of the ecclesiastical questions of Upper Canada? Are we to have new Constitutions, Elective Governors, Universal Suffrage, and the whole political

gamut of the hon. member for Huron--or have he and his colleague sent all these to the winds? Have the Lower Canadian portion of the Ministry yielded to the just demands of Upper Canada, and agreed to remove every vestige of State-Churchism?--or was the assertion that they had done so a delusion, and the position of our allies in this Parliament precisely what it was in last? The country has a right to a clear, unequivocal reply. Such exhibitions as these strike at the root of public morality.⁶⁸

MR. PRES. EX. COUN. CAMERON.--And virtue!⁶⁹

MR. BROWN.--Sir, the gentleman may sneer if he likes it, but this is not a matter to be met in such a spirit. If a public man can resign his post in an administration at the risk of breaking up the government, if he can protest before the country that his conscience would not allow him to remain while a useless office existed--and if he can but a few months later eat up all he said and accept that very office with impunity, the public morals are indeed concerned. If, sir, a public man can avow certain opinions, agitate the country on those opinions, attempt to destroy the Government by the influence of those opinions--and the moment office is in his reach, can laugh at his professions, and sends all his principles to the winds--it strikes at the very root of public morality. And, sir, if a member of a Responsible ministry can forget the confidential relation in which he stands to his colleagues, and secretly plot their removal, and his own aggrandizement, where shall we look for good faith among men? And it is not public morality alone that suffers by such scenes; our constitutional system is placed in jeopardy by exhibitions so improper.⁷⁰ If men were to agitate the country for years and to propound principles as their own, and then were in a moment to forget all that they had said--in that case he declared that our Constitution was a farce. If men were to risk the dissolution of their party about a paltry £600, and after trying to make martyrs of themselves without effect were to give up the job and again accept office with abuses ten times as great as those they had protested against--he said it was time, not, indeed, to seek for annexation, but to obtain the safeguard of republican institutions.⁷¹ There is no principle in the theory of Responsible Government more vital to its right working, than that parties shall take their stand on the prominent questions of the day, and mount to office, or resign it through the success or failure of principles to which they are attached. This is the great safeguard for the public against clap-trap professions--and when strictly enforced it makes men seriously consider ere they commit themselves on leading questions. The conduct of the gentlemen of the Treasury benches in this view, strikes a deadly blow at our constitutional system. If a public man can hold one set of principles out of office, and another set in office, Responsible Government is a farce. Sir, I readily acknowledge the good service rendered in past years to the cause of Ministerial responsibility by the hon. Inspector-General, and the hon. Provincial Secretary. But so much the more blameable is their conduct in these transactions. To their hands it was committed to guard over it, and they have betrayed that trust. A few such blows, and how shall it be upheld? There are two principles of Government now being tested on this continent--the American system of checks and fetters, which no official can overstep--and, the British system of balanced power, with little check but that of public opinion. Sir, I believe our own system is the best--but high personal honour and a watchful opposition are necessary to its right working, and if such things as we have recently witnessed, are to be repeated, we will be driven in self-defence to the severe restraints of republican institutions. Either the present ministers came together without any definite understanding, with the single tie of office--or else there is a mystery yet to be explained. The Inspector-General sees nothing strange in the matter--he says, "we are advocates of progressive Reform," and that is enough. Where shall we look for the proofs of their progression? Shall we find it in the votes of last Session after the

consummation of the Union? Do we find it in the Speech from the Throne now under discussion? Sir, I agree with the hon. gentleman for Frontenac, that the Suffrage is the only question on which any advance has been made,--and even the Suffrage movement, as I understand it, is no change of principle, but only an extension of the existing system, by which certain classes now unjustly deprived of the franchise shall have it conveyed to them. All the other subjects of the speech stand precisely as they did. It may be that the details of the measures provided may exhibit evidence of progression, but it is not found in the speech.⁷² He now asked what had been gained by the compromise ministry.⁷³ It may be that the Ministerial measures, that the Ministerial principles, are in a state of progression, and that the very debate will help to liberalize them. But, sir, on the great question of Upper Canada, there is no progression whatever, and there is no likelihood of any. The hon. Inspector-General made an eloquent appeal on the subject of the Reserves; he told us he was the warm advocate of their secularization,--that for twelve years he had always been so,--that he had never varied in his views. Sir, I believe every word uttered by the hon. gentleman; but of what avail are his sentiments if we do not get his votes? How can he reconcile such sentiments with the dark record of last session? But mayhap the hon. gentleman can see no discordancy in the case, for he says he has never varied. Are we then to have this session a repetition of the scenes of the last? But even should the Inspector-General have changed his views, and be prepared to reverse his votes, what will it avail? The difficulty in the way of the ecclesiastical questions was not with him or his Upper Canada colleagues, but with the gentlemen of Lower Canada. And after all the loud trumpetings of harmony in the Cabinet, and promises of united action on the Reserves, what are we told by the hon. Provincial-Secretary? That he thinks the present division of the Reserves unfair,--that he thinks the existing settlement should be broken up,--that he will aid us in getting the control transferred to the Provincial Parliament,--but, and I pray the House to mark it well, he will not now say how the lands should be appropriated. And this was coupled with the declaration that he would never interfere with "acquired rights." What then, sir, have these combinations gained for us? Are not the sentiments of Mr. Morin precisely those of Mr. Lafontaine?⁷⁴ The hon. Provincial Secretary went no further on the Reserves question than Mr. Lafontaine did, and it was because Mr. Baldwin went no further than the ministry were now going, that he was universally condemned.⁷⁵ Was it not for taking this very position that the late Government was "ostracized?" Was it not for denouncing the faithlessness of the Upper Canadian Ministers in holding office after such a declaration by their colleague, that the members for Norfolk and Huron forced themselves into power? I call upon the hon. gentlemen on the Treasury benches to tell us now, if they can, in what manner their combinations have benefited the cause of ecclesiastical reform? I challenge them to show us that they have advanced one step beyond the ground of the late Administration. But, sir, I am free to acknowledge that there is a point on which the present Ministry have gone beyond their predecessors. There certainly is no want of⁷⁶ nerve and⁷⁷ boldness in the movements of the hon. gentlemen. I cannot but regard the famous embassy in the Court of St. James as one of the boldest and most extraordinary affairs ever witnessed in a constitutionally-governed country. What are the facts? Shortly before the meeting of Parliament in 1851, Mr. Howe of Nova Scotia visited Toronto, and then and there, in the secrecy of the ministerial closet, without deigning to consult the public mind or seek the advice of Parliament, the hon. Inspector-General entered into an agreement for the building of a railway from Halifax to Quebec, involving a debt of several millions. He came down to Parliament, and by presenting his supporters with the choice of bolting his scheme or forcing him to resign, he carried a measure authorising the great enterprise. He had some difficulty, however; and like the principles of the present Government he passed into a state of progression. At first the road was only to be from Halifax to Quebec; then he was to get money to continue the road

to Hamilton, if he could; and finally, he was not to take the money if he could not get sufficient for the whole line.⁷⁸

MR. INSP. GEN. HINCKS said he never had any difference of opinion on this subject.⁷⁹

MR. BROWN.--Then you intended to take the money for the road from Quebec to Halifax, and to leave Upper Canada without any road at all?⁸⁰

MR. INSP. GEN. HINCKS said no: he had always told the House that he would get the money for the whole line.⁸¹

MR. BROWN.--I know the Hon. gentleman told the House so--but when called upon for his authority to make such a promise he utterly failed to produce any⁸², [and] he altogether neglected to put it in his bill, so that the line might have been built from Halifax to Quebec and might there have stopped.⁸³ The despatches and correspondence gave no authority for such a hope. But whatever were the merri^{ts} [sic] of the scheme, there it was. Parliament had pronounced upon it,--it was the law of the land--and Major Robinson's survey was to be the route. But no sooner did Parliament rise than the views of the Hon. Inspector-General got again into a state of progression.⁸⁴ Perhaps by the succession of a new commissioner of the Board of Works.⁸⁵ Some difficulty arose with New Brunswick about the line --Mr. Hincks and two of his colleagues started off⁸⁶ to the Lower Provinces and there agreed upon⁸⁷ and absolutely took upon them ... to concoct and adopt on behalf of Canada a totally new line along the valley of the St. John--⁸⁸ after an act had been passed by the Canadian Legislature to adopt the line proposed by Maj. Robinson's survey.⁸⁹

MR. INSP. GEN. HINCKS denied this⁹⁰ [and] said warmly that Major Robinson's line had not been designated in the Act.⁹¹

MR. BROWN.--I know it was not designated in the Act--But I appeal to honourable gentlemen who sat in last Parliament if any other line was ever contemplated, or if this new line of the Inspector-General's was ever mooted in the House. (Cries of "never".) The next scene in the drama was the departure of the Prime Minister for the shores of England. He found his way to the Colonial office and demanded the seven millions. Sir John Pakington was quite prepared to carry out the proposal of Earl Grey, the scheme of Mr. Howe, the Solemn Act⁹² which the Canadian parliament had agreed upon, and which was the law of this land.⁹³ But the Inspector-General would not hear of it. He had a new scheme in his pocket and John Bull without questioning must take that or nothing.⁹⁴ It was an outrageous assumption of power for a minister in these circumstances to concoct a new scheme⁹⁵. An interview with Lord Derby followed⁹⁶. The British government asked time to inquire into it⁹⁷. The matter was to be considered, there was no great difficulty to overcome--when suddenly the great Canadian Ambassador broke out on the colonial Minister with that incomprehensible letter of his--and warned him that he must have an answer on a certain day, or he would break up the negotiation⁹⁸ on behalf of Canada,⁹⁹ never to be reopened! What authority had the Inspector-General for such daring assumption as this? But this was not all; not content with breaking off the negotiation with Government,¹⁰⁰ it was a more aggravating assumption still, after that high handed act, for the Inspector-General to go and sign an agreement with¹⁰¹ certain London Contractors to place in their hands the building of the Road from Quebec to Hamilton¹⁰². Was that a step which should be taken without consent of Parliament?¹⁰³

MR. INSP. GEN. HINCKS denied that he had made any such agreement¹⁰⁴ on behalf of the Province.¹⁰⁵

MR. BROWN.--The hon. gentleman denies that he made any such agreement. I know not what he may consider an "agreement"--but a document signed by Mr. Chandler

was recently published in New Brunswick, and the Government organ in this city declared the Canadian Ambassador had signed a similar paper. If that was a correct statement, the Inspector-General might call it what he liked, it was to all intents and purposes an agreement. We all know that it would not legally bind the country--but who does not also know, that if the Inspector-General comes here and tells his followers they must adopt it or he will resign, that the public exchequer will soon be pledged to the scheme? And what were the terms of that agreement? That government should find one-half, that the bonds of the Company should be issued for three-tenths, that private capitalists in Canada should take one tenth, and that Messrs. Jackson & Co. should take the remaining one-tenth?¹⁰⁶

MR. INSP. GEN. HINCKS admitted that these were the terms.¹⁰⁷

MR. BROWN. What, then should we gain by the help of these contractors? Cannot we sell our Provincial bonds without their aid? Would not the bonds of these companies sell as well as those of the Great Western Railway Company? Will not one-tenth of private stock be taken up to Canada, whether we have their aid or not? And have we no contractors among us, who, like Mr. Jackson, will take part of their profits to stock? Sir, I think Canadian skill and Canadian enterprise should not receive so serious a check as this scheme would inflict. I think we should determine the best scheme we can devise, and give Messrs. Jackson a chance to compete with our Canadian contractors.¹⁰⁸ The honble. member dilated at some length upon this conduct of the Inspector General, and contended that his assumption of authority was unconstitutional and insulting to the Canadian Parliament.¹⁰⁹ Mr. Brown then reviewed the high-handed course of the Government in regard to the ocean steamboats, the tug-boats on the St. Lawrence, the reduction in the price of land,¹¹⁰ the opening up of new roads¹¹¹ and other recent proceedings; and declared, that if such things could be done by mere Executive fist, Parliament might as well be abolished at once, and the hon. Inspector-General erected into the three branches of the Legislature. I much apologize, Mr. Speaker, continued the hon. gentleman, for occupying so long the time of the House; but as a Reformer, and a warm advocate of Responsible Government, I felt it a duty to repudiate, on behalf of many who think with me, the injurious proceedings to which I have referred. I know full well, Sir, to what I expose myself, by the course I have adopted. I know that I shall be charged with selfish objects, with ambition, with disappointment and vituperation with which it will be accompanied--but I care not for it. I feel the purity of my motives, and should I have the honour to continue in this House, my votes will justify me to my countrymen. Sir, I would have been unjust to my party, faithless to Responsible Government and false to the highest interests of my country, had I sat silent on this occasion. And yet, Sir, I feel that the vote which I shall give may appear strange to many.¹¹² He stated, amid loud cries of "hear, hear," from all parts of the House, that he would vote for the address, as he understood that his voting against it, would be to sanction the principle of putting the present ministry out of office¹¹³. Highly improper as I view their proceedings, I confess I am not prepared to say that I would like to see the present Ministry out and the gentlemen opposite in their places.¹¹⁴ As he was obliged to choose, he would prefer them to the conservatives.¹¹⁵ I would try them by their measures. It may be they will take warning by the debate, and yet justify, by their actions, their claim to be advocates of progression. But if they do not--if they trifle with the great questions of Upper Canada, I will not hesitate to prefer an open enemy in power, to a faithless friend. I cannot sit down, Mr. Speaker, with out expressing my astonishment at the cry of "ruin and decay;" which has been raised by the gentlemen opposite, as to the commercial condition of our country.¹¹⁶ The cries ... were most ill judged and calculated to discourage.¹¹⁷ Sir, I was astonished to hear what fell from some of those gentlemen, and especially from the hon. member from Toronto. With some knowledge

of the condition of Upper Canada I can but state my conviction that the highest prosperity prevails over the country, in every branch of industry; and I know of no place on this continent that will compare with the city of Toronto in the rapid and secure progress with which she advances. And, Sir, I was still more surprised that at the opening of a new Parliament when all eyes are upon us, annexation to the United States should have been held up to the people as a sort of ultimate remedy for all our sad woes. I have no sympathy with such views, and I am sure that the small party entertaining them, grows every day more insignificant. Such croaking as this, befits not our position. It is for us to inspire confidence in the masses--to point to a coming day of high distinction for our country--to elevate and guide the aspirations of our people--and cheer them on in the paths of industry and enterprise. I regretted, not less, to hear from the gentlemen opposite the allusions to the salary of the highest authority in this Province. Sir, the appointment of that high authority is the only power which Great Britain yet retains. Frankly and generously he has one by one surrendered all the rights which were once held necessary to the condition of a colony--the patronage of the Crown, the right over the public domain, the civil list, the customs, the post office, have all been relinquished, and the control over the Reserves will soon follow with the rest. She guards our coasts, she maintains our troops, she builds our forts, she spends hundreds of thousands among us yearly--and yet the paltry payment to her representative is made a topic of grumbling and popular agitation. I know nothing so contemptible. However the hon. gentlemen opposite may view the matter, I am sure I speak the sentiments of the entire Reform party when I say that as long as we have such Governors as the present, there would be no grumbling from this side of the House, were the tribute double what it is. Unlike other Governors whom we have had, the distinguished nobleman who now graces the vice-regal throne has confined himself to the legitimate exercise of his authority and respected the rights and privileges of the people--and for the stability which his wise rule had given to our constitutional system, when he and those who now bear rule have long passed away from the stage of life, His Excellency will live in the grateful affections of¹¹⁸ future generations in Canada.¹¹⁹

MR. PRES. EX. COUN. CAMERON would forgive the Hon. member for Kent, for his bitter allusions to himself on account of the correct position he had taken with respect to the state of the Province and his Excellency the Governor General.¹²⁰

MR. BROWN denied that he meant to make any personal allusion to the hon. member for Huron, (loud laughter from all part of the House.) He was unaccustomed to public speaking, and he found it nearly impossible to control the words he uttered so as to express his exact meaning; but he could sincerely state, that he rose with the determination to make no personal allusions, nor hurt the feelings of any hon. member, and if he had done so, he sincerely apologized.¹²¹

MR. PRES. EX. COUN. CAMERON said that had he not been personally attacked by several gentlemen on both sides of the House, he would not have risen at this stage of the debate. But feeling that this House and the country had a perfect right to the fullest and most minute details of the conduct of public men, especially in all their negotiations and political arrangements, he cheerfully entered into an explanation of the principles of the Government, the part which he bore in the arrangements connected with its organization and the reasons which induced him to join it. But before doing so, he must say that had the attacks of the hon. member for Kent been ten thousand times more bitter or personal than they were, he (Mr. Cameron) would cheerfully forgive them all for that gentleman's patriotic defence of the country, and his just tribute to the worth and interests of the head of this Government.¹²² Mr. Cameron went on to condemn the ruin and decay cry, which he said was calculated to drive emigration from our shores, and besides had not the merit of being true. The hon. member proceeded to review the arguments which had been adduced by Messrs. Boulton and Gamble.¹²³ The member for the First Riding of

York, the member for Toronto, and several others of their party in commenting upon the part of the speech which relates to the peace of the country, had said "yes, there was peace and stillness, but it was the stillness of death--Canada resembled a girdled tree."

"If you pass from Canada to the States, you pass from death to life."

It was strange that any Canadian would offer such words--stranger still, when we knew them to be untrue, but stranger yet when uttered by the member for Toronto and the member for the First Riding of York.¹²⁴ He cited the condition of the city of Toronto, and shewed its rapid rise in wealth and population.¹²⁵ Was it true, or was it not, that in 1801 Toronto numbered 336 inhabitants while in

1830	it was	2860
1845		19,706
1850		25,105
1852		30,763

A progression certainly very life like.

Again, the city property was valued at £3,116,400, which at 6 per cent gave £186,933. But to leave Toronto with its Cathedrals and Palaces, its Universities and Colleges, its Asylum and Markets, which in beauty, elegance and style surpassed the best public buildings of the best cities of the American Union, was it not a fact that the relative increase of population, was greater than that of any of the Eastern States? These facts, he said, were from a lecture delivered and published at Toronto by the Rev. Mr. Lilly, and republished at Brockville with additional corroborating statistics, and which had been uncontradicted by any press or writer to the present hour. There was a Scotch proverb which says "It is a foul bird that files its own nest." Let the member for the City of Toronto remember it, as he (Mr. Cameron) had no doubt his constituents would. Such he said was the course of a portion of the Conservative party, who, since 1849 had been possessed by a kind of mania or some hallucination connected with annexation, and arising no doubt out of the operation of that principle of majorities which the member for the First Riding supposed his (Mr. Cameron's) honorable friend, the Secretary, was opposed to.¹²⁶ The sentiments which had been uttered in favour of annexation, ... besides being unpatriotic ... were not calculated to advance the prosperity of the Province.¹²⁷ He could assure that hon. gentleman that there was no man in that House more sincerely in favor of Government by majorities than the hon. Provincial Secretary, who, he knew had very little idea of yielding that principle now or allowing the minority to rule in that House. But those who remember the system of Government before 1837, and the men who ruled and thrived under it, could well understand--why some men had a horror of Canada as it is, and a government by Majorities.

He was proud to feel that Canada is not behind the United States in progress¹²⁸. He ... shewed that the increase of the population and wealth of the whole Province of Canada had been more rapid than that of the United States¹²⁹. We had, at other places besides Toronto, Public Buildings, Cathedrals, Markets, Universities which were not excelled in the American Union; and Canals, superior in extent, finish and capacity to any in the world. But we were told that these canals were idle: the fact however, is the reverse. The hon. member for Prince Edward, in particular, had delivered a gloomy homily on ruin and decay, and had declared that the Canals were idle. He (Mr. C.) cut from the Montreal Gazette (a paper not in favour of this Government,) the following extract:--WELLAND CANAL.--The tolls collected thereon during the month of July 1st, was £7682 2s. 9d. against £5909 7s. 6d. in the same month of last year. The number of vessels passed through was 750, being an increase of 60 over July of last year, and 262 over the same month in 1850.

And the St. Lawrence canals, making allowance for the fact that they were not opened till nineteen days later than last year, had not fallen off. The gentlemen opposite must know that the discovery of the extraordinary gold mines of Australia had diverted upwards of two hundred vessels from Canada, which would

account for produce not coming to a port when there were not ships to transport it. He (Mr. Cameron) denied that the lumber trade was in a bad state, especially when the circumstance of the discovery of Australia was considered. Staves brought a higher price than they had done for years past. Oak was about the average, and only inferior pine was dull, and that owing to the rate of freights, as the demand in England was good. But he would leave that Question, and take up the statement which had been made relative to labour. Hon. gentlemen opposite asserted that in Canada 1s. 4d. a day was the price of wages. (The hon. member for S. York had put the balance for the labourer at one farthing a day) while in the States 6s. and 7s. was paid. He (Mr. Cameron) denied the facts, and asserted that wages were higher in Canada at the present time than in the States. The common wages for a teamster was from \$16 to \$24 a month, and that of a labourer from \$10 to \$16; and hundreds have come from the States to work in Canada, on the public works, at those prices. But he (Mr. Cameron) would meet the hon. gentleman in another way. He is a protectionist and wants to encourage manufactures; surely the best and first element was cheap labour; with water power and machinery what did we need but cheap labour? The hon. gentleman was a manufacturer of wool, and found he required a higher price for his cloth, because labour was so high. Let him tell the farmer that they must pay him more, and make his demand openly and not tell them that it was for their interest to have the tariff increased, a theory by which Upper Canada could not be deceived. But he must now allude to the matter of the Speech, which was said to contain or communicate nothing, though it noticed the Reserve Question, and promised an extension of the suffrage, an increased representation, review of our asylums, &c. But the member for Kent said this was nothing--"extension of the suffrage to a man in Toronto who had a house at a certain rate and had now no vote, he was to be allowed to vote"--extension of suffrage nothing! What would the people of England say to the man who would thus speak of the watch-words of reform? they would think him not of the school of Brougham, Hume, or Cobden, but a Sibthorpe or a Bentinck. He (Mr. Cameron) would ask who told the hon. gentleman that the government by professing to extend the suffrage only meant to deceive the people, and extend it only to certain tenants. What authority had he for such a statement; a statement utterly false, though made by a professed reformer. Should he not wait and see the measure: no! that would not answer the forestalling of public opinion, and raise a prejudice in the public mind against the government. He (Mr. Cameron) would now take up the Reserves. The member for the First Riding said he did not regret that the Home Government had not introduced a bill, and he further stated that he would vote for their secularization, and that if he was called upon either to resign or vote for it, that he would resign. Now he (Mr. Cameron) would ask that the hon. gentleman one question. Had he made this statement to his electors, would he have been returned?¹³⁰

MR. GAMBLE rose to explain but did not answer the question.¹³¹

MR. PRES. EX. COUN. CAMERON: The hon. gentleman refused to answer, but he (Mr. Cameron) was sure he would not have expressed himself at the hustings as he now did. Like many of his friends, he trimmed and chiseled, and left the impression that he would carry out the views of his constituents on this question. He (Mr. Cameron) was quite certain that were a direct appeal made to the country on this question the result would be a fearful blank in the benches opposite, and especially of those who professed to be liberal, and now are found as Bishop-ridden as ever. For his own part, he must say that he believed this question intimately connected with our peace and happiness; he believed the whole matter colonial, and he would have joined no ministry who would have shirked or evaded the question for a day. He had stated boldly to his constituents the views of the government upon it. He told them he would demand its settlement, and take such a stand, if such a course were necessary, which he believed was not the case, as would bring us even to issue with England upon it; he was prepared to say that

he would never yield a little of our rights relative to it, be the consequences what they might. He had made this declaration in Huron, as the member for Kent well knew, and he shrunk not from it now. But he would take that course that was most likely to result favourably to the people of Canada. He (Mr. Cameron) would neither be bullied by enemies nor coaxed by friends for a momentary popularity to risk the whole, nor by the attacks of the members for Kent, who, when the matter might have been properly settled by bill, defended the Price resolutions, and denounced those who would have demanded a bill, as factious and dangerous men, urging a course that must bring us into collision with England. He (the member for Kent) then thought that those only who sought for annexation, or restless demagogues, would insist on it. But now, after placing us in a false position, after appealing to the Crown by address, after England had answered that address, and fully admitted our rights, and by the hands of Mr. Peel, the late Under-Secretary, prepared a bill to allow us to legislate, that gentleman saw no difficulty, no danger, no impropriety, no indelicacy, nothing but clear duty in pressing a bill to detail settling the question and sending it to Earl Derby, and to the Bench of Bishops for approval. The country was not to be taken by such clap-traps. The man who defended every act of the late administration up to and at the Haldimand election, could hardly make the people believe he was sincere now, though he smiled and looked as honest as Iago himself.

He (the member for Kent) had defended the late administration in postponing the mention of the word reserve for three sessions, and he was not satisfied with a government now which mentioned it in the speech, and whose Premier declared his determination to demand their settlement at all hazards, on the first day of Session. The man who thought that the people of Canada could be made the tool of factious demagogues, and be turned against their old and tried friends, merely at the cry of personal and selfish ambition, was mistaken. They would carefully weigh the present position of the party, and the question, and the party in England, and would be aware of those, who in the face of the most glaring facts complained and asserted that the government had not one word of regret that the Home Government have not settled this question.

Surely no one could suppose that the representative of Her Majesty in this country should express regret at the course of Her Majesty in England. But was it not a fact, that it was because of the word regret, and that alone, that there was a division on the reply to the address; these words were strongly put, and the denial of this fact, and the attempt to deceive and mislead the public upon it, would recoil on the slanderers, in the mind of every man who read the reply to the speech, and the article alluded to.

He (Mr. Cameron) would now return to the attack of the hon. member for Kent on the government, in a matter which he (Mr. Cameron) had expected every man on every side of politics would have given them due credit, and which he thought he could claim credit for from the hon. gentleman from the First Riding, though the member for Kent was severe. He alluded to the reduction of the price of public lands and the opening up of roads to the interior in both sections of the Province. The hon. member for the First Riding of York, in trying to find an objection to the encouragement of steam communication with England, said "if we had cheap land to offer, we might have encouraged steam." Now, what was the fact: the price of land in the United States was 6s. 3d. an acre, all cash, and sold in unlimited quantities to speculators. The government had, in connection with steam navigation, reduced the price of the largest tract of the public domain to 4s. east of Toronto in Canada West, and 3s., 2s., and even 1s. in Canada East, and on long credit to actual settlers only. The very thing the hon. gentleman wanted, and yet his co-adjutor grumbler says, aye that was very well, but why did the ministry not wait for parliament? He asked the hon. member, was the price of land ever fixed by act of parliament? It was a ministerial arrangement and always had been. Then the hon. gentleman complains he (Mr. Cameron) was sure in ignorance, for so earnest and

honest a looking man could not assert a falsehood, so gravely and willfully, that the Ministers' other scheme of steamboats was transacted, contracted for, signed and sealed, disposing of £25,000 of the public money, with out reference to parliament. Now he (Mr. C.) was sure it would be satisfactory to him to know that no such thing had taken place, and that although there was a most pressing necessity for action, the whole matter was made certainly contingent on the action of parliament, and no hope held out whatever to Messrs. McLean and M'Carty unless fully sustained by the house. But the monster sin of the Government however, he (Mr. C.) had left untouched--"their railroad scheme." The Inspector General was charged with having gone home and in a moment of spleen sacrificed the interests of Canada, quarrelled with Lord Derby, and lost us the Great Halifax Road!!! made a bargain or contract with English jobbers and sold Canada to a monopoly. Yes, and worse stories are afloat out of doors than can find fathers in this House. It was asserted freely that the Inspector General agreed to allow Messrs. Jackson and Company to make the road from Montreal to Hamilton at any expense they chose, and pay them with 10 per cent for commission on the outlay, and on these charges public prejudice was excited against the gentlemen; whereas there was not a word of truth in the whole matter. The Honble. Inspector General had explained fully his mission home, and was able and willing to do so at all times and in all places. He (the Inspector General) took on personal offence; but, when told on a certain day that he must wait the discussion of a question then under consideration, and was assured he should have an answer, and found upon the same evening that the Government had already made up their minds not to legislate upon it during the session, and had not only communicated this fact to the House of Commons, but to a private individual of very doubtful standing. He (the Inspector General) had the manliness, the patriotism, immediately to address an indignant letter to Sir John Pakington, intimating that he would wait no longer, and he (Mr. C.) would assert that no letter ever corresponded better with the feelings of Canada, young and old, than that said letter of the Inspector General of Canada. But he (Mr. C.) would tell this House and the country what he (the Inspector General) did relative to the railroad interest of Canada with private contractors in England. Messrs. Jackson & Co., the first railroad contractors in the world, were engaged in the construction of railroads in various countries, and were then importuned to carry out large works in the Western States; but from our improved position, increased credit, the apparent stability of our Government, and a growing confidence in England, capitalists were more willing to invest with us than they ever were before. These gentlemen had made offers to come to Canada and examine our roads, and take up the line from Montreal to Hamilton at fair contract prices, to be submitted to an Engineer of our own, to the Railroad Commissioners, among whom were the Commissioners of Public Works, the Inspector and Receiver General, and others, and subsequently to the Government. And if the people of Canada would take but one-tenth of the stock they, the English Company, would take one-tenth, cash the bonds of the Company for three-tenths, and with the provincial guarantee for the other half, immediately commence and finish without delay this great line. The Government were not nor never had been, under any engagement, contract or liability to them, except in case they did not get the contract to pay them for such maps, plans and surveys as they may have necessarily made. With all his (Mr. C.'s) charity for the hon. member for Kent, he must be excused if he did not suspect him, if he was at least astonished at his deep feeling and righteous indignation about the great loss of the Halifax Railroad, when he (Mr. C.) recollected that one leading feature of his speech to the electors of Kent was his opposition to this very route.¹³²

MR. BROWN rose and said that that was only supposing it was to stop at Quebec.¹³³

MR. PRES. EX. COUN. CAMERON said--Oh! yes! but when the new proposition was only to make just what the hon. gentleman professes to ask, he still complained and

made it a charge against Government. Now he would calmly weigh this very important matter; he would look back three years, and fancy an English Company of capital and character, proposing as Jackson & Co. now did in their last offer, to take the whole of the stock, contract at fair prices, and complete the whole road. Was there a man in Canada East or West, that would not have received it as a providential blessing too good to be true?--And when he recollected that one of the plausible grounds of dissatisfaction with England, one of the stereotyped cries of Conservative Annexationists was that English capital went to the United States, to Mexico, to California, every where but to Canada. What were we to say to these same gentlemen, who at the very dawn of a change, do all they can to prevent the influx; the cry is got up of English speculators and jobbers, and assertions boldly made that we were able to make our own roads. He regretted much that this idea seemed to exist in Montreal, that a feeling was awakened apparently patriotic against British Capitalists. It was said that men of worth, and standing in that City were able to make the road and had taken up all the stock.--He (Mr. Cameron) cheerfully admitted their wealth, standing and ability to make this road, but at what a sacrifice to this country. He would anxiously warn this House and the Commercial and Agricultural people of United Canada of the result of such an attempt. Had we two millions or in fact, any capital more than was required for ordinary, legitimate, and commercial enterprises?--Had we more banking facilities than we needed, more floating cash than borrowers required? He was sure every merchant and farmer would say not. Then, he said, let our best men, our real capitalists, withdraw their deposits from the Banks, their investments in mortgages cease their operations in flour, pork, lumber, make investments in Rail Roads, and all that Mr. Carey said of the speculations in the West would be realized. What England with all its capital, and Boston and other parts of New England with all their capital, suffered from a similar cause would be felt by the derangement of our currency, tightness in our banks, general ruin and Provincial Bankruptcy. On the other hand, if two millions of foreign capital were introduced under contracts at prices to be approved of by our Chief Engineer, by the Chief Commissioner of Public Works, by a Rail Road Committee composed of Sir Allan McNab, Messrs. Crawford, McDonnell and others, & the Rail Road Board, and after all by the Government, and would it not give an impetus to every trade; would it not increase the price of labor; would it not make for a time at least that home market so much desired, and furnish the means through our own contractors to make all the lateral roads so necessary to open our country and feed the general trunk. This he felt to be the great question of the Session, in a few weeks little local jealousies, a greedy ambition gratified, might ruin all. The money market of England may change, the golden cup with all its blessing, now at our lips, may pass by us for many many years to come. He would now allude to the attack on himself for his withdrawal from the Government in 1849, his votes in 1850, and his present position.

The member for Kent had amused the Province with every conceivable version of his (Mr. Cameron's) resignation, and had kept a watchful and vigilant eye upon his every movement since, and all he need say was, that when he left the government, he did not intend to war; all he had said was forced upon him in defence by those who were hired to write him down and destroy him. All had been submitted to public opinion, and the men of Huron, Perth, and Bruce, had declared that they believed his (Mr. Cameron's) course right, just, and patriotic¹³⁴. He asked the hon. member for Kent if he felt guiltless of having done much to divide the reform party during the late elections. He had sent¹³⁵ an orangeman, an agent of the Globe, ... to oppose and injure¹³⁶ his (Mr. Cameron's) election in Huron.¹³⁷

MR. BROWN rose and said he had never sent that person to oppose him, but had instructed him not to interfere!!¹³⁸ [He] stated that as soon as the hon. member declared that he did not belong to the government, he (Mr. B.) gave him his most cordial support.¹³⁹

MR. PRES. EX. COUN. CAMERON: Well, he (the agent) might have stated falsehood, he might have shown forged letters, but he said he was ordered there for the purpose; and the Globe was to write him (Mr. Cameron) down, and therefore the tories took it by hundreds. However, he would say no more of 1849, but a few words in reference to his votes; and the principle he sustained. Did the member for Kent expect to gull this country and especially the men of Huron and Kent, with the idea that because a member of this House takes certain views on reform--urges retrenchment, the abolition of certain offices, and the election of others--and is over-ruled by large majorities, and these offices, as in the case of the presidency of the council, established by act of parliament, that the country is in no way to have that man's services till he can find ten gentlemen who will agree with him in every particular?¹⁴⁰

MR. BROWN rose again, said that he had not denied that the member for Huron had a right to change his views, but he should have said so.¹⁴¹

MR. PRES. EX. COUN. CAMERON had not changed his views. The attempt to evade in this way was just of a piece in honesty with other attacks. He (Mr. Cameron) had neither changed nor abandoned any ground he had taken in 1851. But when he found the party divided, an election coming on, and the triumph of their opponents almost secure, he agreed if a government could be formed right on the great public questions involved in the settlement of the reserves and rectories, the extension of the franchise, that he would join them; if necessary, leave the Court of Chancery, vote by ballot, and sectarian schools, and even retrenchment alone for a session. He explained to his constituents that in these matters for a year or two they could be no worse. But in the other matter chains might be rivetted which time could not undo.¹⁴² He had always asserted, and ever would assert the right of Canada, to legislate upon the Clergy Reserves. He would assert this, even though it should bring us into collision with England. He treated of the mode in which the reserves should be brought back from England, and defended his own conduct and that of the government for the course they had adopted to bring the Reserves back. He defended himself from the attacks of hon. members¹⁴³. He would now read from his address what he did say:--

"In the capacity of an independent member I now offer myself--in that capacity I desire to remove, if possible, from the reform party all doubts, as to the intention of the men now in power. I declare my perfect confidence in the whole administration on the great questions now agitating the country; they are pledged to the settlement of the reserves and rectories, and the perfect equality of all religious denominations--the men are all known to me, and I, with perfect confidence assert that when Morin, Rolph, Taché, Caron, are pledged, no better security can be found in Canada."¹⁴⁴ Yet in the face of that statement, the public press had industriously circulated the report that he had attacked the Government.¹⁴⁵ Here he would contradict one of those gross misstatements so recklessly put forth and repeated daily in the papers since December 1851. He alluded to the statement by the member for Kent, that¹⁴⁶ at the present time the ministry had given no pledge in favor of the secularization of the Clergy Reserves and that after the resolutions in answer to the address had expressed deep regret at the decision of the Imperial ministry and the explicit declaration of his colleagues. The gentlemen of the press must have a poor opinion of the intelligence and discernment of the country before they made such statements. He farther complained of the misrepresentations of¹⁴⁷ the member for Frontenac, that he [Mr. C.] had joined a government in January, which he had denounced as unworthy of confidence in December.¹⁴⁸ The hon. member continued to defend the conduct of the Government during the recess with respect to steamships and railroads, and stated that parliament could control all that they had done.¹⁴⁹ "Be not induced by the cry of ballot, sectarian schools,"--and he said further even retrenchment or Court of Chancery could lie over a session, and be no worse than they are. But the present was the moment for union on great

principles, and he closed by these words:--"Yield to the present administration full confidence, follow my example, and let bye-gones be bye-gones, and join shoulder to shoulder for the public good."

But he must now close, and it was satisfactory to him to say that the administration was united and harmonious, honestly carrying out all he expected, and he felt proud that he should be able to assure his constituents that a greater number of progressive reform measures were in contemplation than he had promised them would be carried out by the government.¹⁵⁰

MR. DUBORD (in French) spoke in favour of a legislative Council¹⁵¹. [11] parla du ministère, du receveur général Taché qui, quoi qu'à la tête d'un des plus importants départements publics, n'avait pas de siège dans la chambre. C'était là une raison qui l'engageait à demander l'élection du conseil. Le receveur-général avait été placé dans ce conseil parcequ'il [sic] n'aurait pas pu se faire élire.¹⁵² M. Dubord ... reproche à M. Morin d'avoir changé ses opinions de 1836.¹⁵³ J'ai du ministère une meilleure opinion que certains membres; mais j'avoue cependant que ma confiance en lui est ébranlée. On m'a reproché d'avoir promis, sur les hustings, d'appuyer le ministère et d'avoir manqué à ma promesse. Eh! bien, je déclare n'avoir jamais promis rien de semblable. Je soutiendrai le ministère quand ma conscience [sic] me dira que ses mesures sont bonnes et justes.

Une chose m'a fait peine pendant le cours des débats. C'est d'avoir vu un homme de la trempe de l'hon. membre de Saint-Maurice (M. Turcotte) essayer de jeter de la boue à la figure de l'hon. membre des Deux-Montagnes (M. Papineau), l'homme le plus respecté et le plus populaire du pays, et qui peut se faire élire par acclamation dans tous les comtés du Bas-Canada; c'est de voir l'hon. membre des Deux-Montagnes insulté par un individu (cris de à l'ordre) comme le représentant de Saint-Maurice. C'est vraiment à dégoûter de la vie publique.

Il est utile que les étrangers connaissent la vie politique du représentant de Saint-Maurice. Autrefois, grand patriote, il a commencé sa carrière politique par faire le sacrifice de ses principes à l'administration Draper, en abandonnant le parti libéral. Il s'allia aux tories qui le firent solliciteur-général, malgré la presse de leur parti qui témoigna le plus profond mépris pour le représentant de Saint-Maurice qu'elle appela la rogne et la teigne du parti libéral. Solliciteur de comtés en comtés, il ne put se faire élire. Aujourd'hui il assiège le ministère pour obtenir un salaire de £300. Dégouté des refus de l'administration, il a dit: "Si on ne me donne pas ma paie, je voterai pour Papineau."¹⁵⁴

MR. TURCOTTE.--L'hon. membre voudra accepter le démenti le plus formel.¹⁵⁵

MR. DUBORD.--Soit, je l'accepte. Le représentant de Saint-Maurice est, comme on le voit, un homme de sacrifice. Il sacrifie tout, ses convictions, sa langue même, mais pas ses £300. Et voilà l'homme qui ose faire la leçon à l'hon. membre des Deux-Montagnes.¹⁵⁶

MR. TURCOTTE, s'adressant à M. Dubord: Au revoir.¹⁵⁷

MR. COM. CR. LANDS ROLPH spoke in so low a voice, that he was nearly inaudible in the Reporter's Gallery throughout the whole of his remarks.¹⁵⁸ From the allusions which had been made to him by the honorable member for Kent, he deemed it his duty to offer some observation in reply; and he should endeavour to do so with that temper and forbearance which best became both personal and political vindication. The hon. member had joined others in subjecting the vice-regal speech to the severest parliamentary torture. Each had subjected it to his own bed of Procrustes. One says it is too long--lop something off it; another says it is too broad--shear it well; another says it is too narrow--spread it wider. Now he would make every allowance for this difference of opinion, and only complain that any speech from the throne should be expected to suit such diversity, or be liable to the severity of criticism for failing to do so. Passing from the speech, the hon. member for Kent had indulged in the severest vituperation against the

Ministry of which he had the honour to be a member. He had charged them with fraud, deceit and corruption.¹⁵⁹

Here the hon. member for Kent, MR. BROWN, interrupted to explain.¹⁶⁰

MR. COM. CR. LANDS ROLPH continued--no explanations could wipe away the aspersions the hon. member for Kent had cast upon them. Had he not accused the Ministry of forming a corrupt combination preferring the emoluments of office to an upright course? Had he not said that they had banded together without principles, without unity of purpose or honesty in action? Had he not applied to the hon. Inspector General with epithets, chicanery and deceit, and charged him with covering his falsehoods with trickery and the technicality of words? He would not attempt to quote his exact words, forming a choice selection from the vocabulary of the bitterest vituperation. It was enough for his present argument that he had held them up to the country as an unprincipled Ministry, banded together without principle and against principle. Such was his exordium--a fearful picture of an unprincipled bandito! And what, sir, was his peroration? That he would, after all, support them! Support them! Yes, he concluded with a declaration that he would support the bad speech and the rascally administration. That was a most unblushing avowal of a corrupt disposition to sustain a corrupt Ministry. He announces himself a particeps criminis. The proverb says that the receiver of stolen goods is as bad as the thief; and he (Mr. Rolph) could see no difference between the men who are corrupt and the man who knowingly and willingly sustains them in corruption. If the hon. member for Kent really believed what he said against the Government, surely he ought to vote against them--vote them out of the posts of honor they unworthily hold, and call upon the House and the country to sustain him in a virtuous and patriotic course. The hon. member emphatically exclaimed, "What is to become of Responsible Government under such unprincipled conduct?" Alas! what was indeed to become of it, when such corruption can be supported by such men as the hon. member for Kent? Responsible Government needs every possible constitutional check. No check so powerful as the overawing vigilance and subverting vote of honest representatives in this honorable House. But what corrective influence, what restorative power, or what constitutional renovation can there be, when the very safeguards of public liberty are of such easy virtue as to become the prostitutes of a venal, a selfish and a principled bandit of unscrupulous ministers? Yet such was the politico-moral creed inculcated and promised to be practiced by one of the public expounders of constitutional law and electoral honesty. He full well knew that the honorable member could not for a moment, either from his knowledge of the past or the present, expect or consent to accept any corrupt offerings from a corrupt Government; but it might be well for him to consider how far, in rendering his services sub-servient to such corrupt agencies, he might not expose his fair fame and generous purposes to the mis-construction of his opponents, and lead to the imputation of motives which every honorable man would scorn, and to inducements as corrupt as his political protégées, the Ministry of the day. Perhaps the hon. member was prepared to say that he did not mean what he had said; and that having merely indulged in the latitude (a wide latitude, to be sure,) of Parliamentary debate, he could conscientiously support the Ministry as worthy of his confidence, and of course, of the confidence of the country. Very well. The hon. member might choose as his alternative that he had accused the Ministry unjustly; that he had prostituted the privileges of the House to hold them up to unmerited odium; that for mere party spleen he had traduced them; that knowing and believing it to be wrong, he had played toward the Government the double game of an avowed partizan, who nevertheless undermines them in the estimation of the people, and spreads abroad an ill fame with a thousand tongues against the sanction of truth and the honest convictions of his own mind. He could see for the hon. member no other alternative. If he sincerely believed all he had alleged against Government, his proffered support was unconscientious and ought to be repelled. If he sincerely disbelieved all he had alleged against them, he

admitted himself their public parliamentary defamer. He left him on the horns of his own dilemma. The hon. member had condemned the office of President of the Council; and he (Mr. Rolph) supposed that, having originally accepted that office, a share of the censure fell upon him.--He was not afraid to bear it. He always thought, and now knew (perhaps differing from his honorable friend from Huron) that the office was sufficiently important and onerous to demand its continuance, and abundantly occupy the gentleman filling it. But, waiving these matters of opinion, they had the paramount authority of Parliament, which had continued it, and provided remuneration for the Minister occupying it. Deference to the law and to the dictates of constitutional duty, alike required any man to fill that office at the pleasure of the Crown. The hon. member for Kent had asked how we could unite together to form a Ministry, to make out a case of discordance, he had ransacked the newspaper fyles for ephemeral political scandal, and drawn largely, no doubt, upon those advantages he had derived from his relation to the former Government. If he was not mistaken, the hon. member was in their confidence, and perhaps was sufficiently behind the curtain to possess, at the present, a knowledge of men and things to which he (Mr. Rolph) could not attain under an immersion in professional pursuits. While indulging in those ungenerous scrapings from every source, he had forgotten with candor to allude to the peculiarities of political position; to the inevitable difficulties from varying shades presented between the soundest views of the soundest men; and to the sincerity with which, in public life, some actions and some points may be conscientiously and patriotically kept awhile in abeyance. In truth, the hon. member had mistaken his party. He was not progressive. He had found out, or tried to do so, how a man appeared to think and act at a certain antecedent period; and there he fixed him. The slightest movement from it was denounced as inconsistency. The hon. member had him (Mr. Rolph) in a corner, and seemed in ecstasies that there was no escape. But he should never keep him in a corner; for he would at pleasure walk out of it into the arena of truth, and should ever be satisfied when the position assumed had its sanction. He had joined his colleagues, because he found them as good members as he considered himself to be. And he rejoiced to find that his confidence was not misplaced and his estimate not a mistaken one. It had been with unmixed pleasure, cordiality and unanimity, that he had hitherto acted with his colleagues; and he had no doubt that the same pleasure, cordiality, and unanimity, would last as long as the House and the country extended their confidence to them. And he should aim, with his colleagues, to merit that confidence, by ever pursuing from session to session, a course of progressive reform. He (Mr. Rolph) used the term "progressive" advisedly. A progressive is very different from a revolutionary advance. Go as far as they might, men will be found to demand a step farther, and complain, as has been done in the debate on the Speech, that though a right step, it ought to go further.--This might or might not be true; But alas he held, that public opinion should always lead the way, and be ahead of the action of public men. As he had ever undertook the duty of a Reform Government, it was to carry out the well understood wishes of the people; and these wishes therefore, must be well understood before they are rashly or presumptuously assumed and acted on. You can properly be bold in your action for others, only when you know that your acts comport with their presumed commands. A public man in a responsible situation, has to steer between Scylla and Charybdis; between timidity on the one and rashness on the other hand. The hon. member for Kent declared he saw no progression in the Speech. Here it is to declare for itself. Here is a single announcement, enough to redeem it from the charge; the extension of the elective franchise and the registration of the voters. The hon. member treated it with a sneer, as a trumpety matter. It was impossible that the hon. member was a reformer, or such language could not escape his lips. The electoral right, so lightly regarded by him, was the foundation of public liberty. It was the only way in which the people could express their will, or aid in framing the constitutional authorities of their country. Was this a trumpety matter? Was the extension of so

vital a right of trifling concern? The hon. member could only be a recent scholar in reform to indulge upon this subject the unbecoming levity he betrayed. He would not fairly represent the freemen of Kent in this contemptuous allusion to their high-prized franchise. Let him recommend the hon. member to study as a matter of history, what, from his recent immigration to this country, he could not personally have known. In the era of Sir. H. Maitland, it was discovered, or supposed to be discovered, by lawyers, that a large portion of the electors had no right to their lands, and consequently no right to vote by virtue of them.--It was proposed to confirm their titles, but not their franchise. The proposition naturally aroused those feelings which, the hon. member had yet to learn, animate the freemen of Canada. One sentiment seemed to prevail: with one voice they declared: perish our titles rather than our liberties. A protracted struggle between the rights of property and the rights of man, ended in obtaining from the British Parliament such an alteration in our Constitutional Act as empowered the Provincial Legislature itself to settle the question. He (Mr. Rolph) had ever since regarded them as noble freemen; as freemen who, at the peril of their homesteads, bravely fought the constitutional battle for their electoral rights. What would these electors, or their worthy descendants, think of the hon. member for Kent, who can allow his heart to approve or his mouth to utter a disrespectful or light regard for privileges they so justly value? Let him recommend the hon. member to leave his arm chair, and instead of educating the people in the science of politics, to mix with them from year to year as a willing scholar, learning from them the inestimable value of the elective franchise and the well known principles of progressive reform. In connection with the extension of the suffrage, we have recommended to us from the throne a system of registration, intended to facilitate the exercise of the right thus extended. The speech, therefore, not only emulates the hon. member for Kent, in respect for popular rights, but in concern to remedy the vexatious delays, objections and cavils, by which the act of voting is rendered often doubtful, annoying or fruitless. If this is not evidence of progressive reform, I should like to hear what are the elements of constitutional liberty and what constitutes a progress in their favorable developement. We have further recommended to eus [sic] the incrase [sic] of the representation. Assembled here, we afford an evidence of the free exercise of the people's will. We do or ought to collect their views and reflect them, to know their wants and supply them; and when from the throne the representatives of the people are invited to increase their numbers, their influence and their power, it bespeaks a sincerity towards that progressive enlargement of the Commons House of Parliament, which every honest reformer will welcome, and which political cynics abroad will, alone, disparage and despise. With the same spirit the government have announced their intention of bringing under the notice of the House the infusion of the elective principle into the Legislative Council: not indeed, as a matter upon which they apprehend public opinion to be matured, but as one worthy of grave consideration. It is now mentioned only to aver, that it comports with the speech from the throne in respect for the elective principle, and a desire to extend it when clearly conducive to the interests and wishes of the country. Yet, Sir, the government is denounced, as having no progressive element in it. The extension of the suffrage, the registration of voters and the increase of the representation, and the surrender of the Legislative Council from the nomination of the crown, into the hands of the people, are unblushingly denounced as no evidence of sincerity in the crown or its advisers in the promotion of constitutional liberty. Could the same announcements be made from many of the European thrones with the same princely sincerity with which they have been uttered here, the people would sing a Te Deum. And could they be announced in the same way and to the same extent from the throne to the people of Great Britain and Ireland, there would be national rejoicings. And are the people of Canada, of all people in the world, alone thankless, querulous, impatient and unjust? The clergy reserves are mentioned in the speech; and, as

usual, some allege there is too much and others that there is too little said. Does the hon. member for Kent desire for himself or in the name of the county he represents that the members of the government should pursue a course calculated to produce a collision between the Governor General and the Crown? Are we from parliamentary cowardice, or otherwise, to evade the collision between this House and the British government, and wantonly and uselessly throw it upon the representative of Her Majesty, who has had no other share in the past action on the question than to transmit past resolutions and an address to the Imperial authorities? What reformer could desire to provoke an eventful loss to the country, which the wide world could not adequately supply? The government was formed upon a distinct avowal, that in carrying out the well understood wishes of the people on the subject, we would stand or fall together. In the consummation we must be allowed to take the course by which we believe the public will can, under the existing state of the question, be most certainly carried out. This is not the time to enter on the discussion; it must be reserved for the introduction of the intended measure. If the country extends its confidences pursuing the course intended, he anticipated no distant success. If that confidence is withheld, and a zeal without discretion to guide our action, he should not be answerable for the consequences of the infraction or the indiscretion. Before, however, the question is discussed, the measure introduced and considered, we are told that a bill must be introduced. Let him (Mr. Rolph) draw the attention of the House to the views of the hon. member for Kent, at a time when he felt the forcible dictates of duty in the honest and upright direction of public opinion during recent parliamentary action on this very point. Now he declares the only proper way to be by bill. During the election in Haldimand, Mr. Brown speaking on the question of the Reserves said: "Mr. Mackenzie attempts to show that the present ministry have been insincere in their avowed desire to settle this vexatious question. Such an insinuation would be simply ludicrous, if it were not so wicked. Do men after fighting twenty years to effect any object, give it up at the moment of victory? Do men who have lived a long life of consistency, turn traitors in a day? Gentlemen, believe it not; such base accusations should be treated with indignation." In the same address he said: "He is no true friend to the settlement of these questions, who seeks to destroy the present ministry."

On the 27th of May, the Globe said in reply to the North American, against the settlement of that question by bill:--"We can understand very well how an avowed annexationist like the American, advocates a measure so likely to lead to a collision with the home government; but as the friends of British connexion, with no revolutionary aspirations, we cannot consent to trample on an Imperial act--however strong might be the temptation to do so."

Again says the Globe: "True, our Parliament might have passed a bill--a manly, straightforward bill--in spite of the Imperial Parliament (as Mr. Mackenzie says) and carried it out; whether they liked it or not. But you would have brought us into direct collision with the Home Government, and would have probably ended in just such another explosion as that of 1837. * * * How much more considerate was the course of the present ministry? They felt that the Provincial Parliament had no authority to set aside an Act of the Imperial Parliament, partially authorized by themselves before passing--adopted after passing--and acted on for ten years. They feel that even if they had the power to pass an act, the assent of the Imperial Parliament must be had to it, and they saw that it would be much more easily obtained by a courteous representation of the facts, and initiation to mild action, than by rudely attempting to force an Act of their own down the Imperial throats.

It appeared the hon. member for Kent labored to place the question in its present position and supported the course which effected it. He was then in power; he was the official organ of the men in power, and received the due reward of his zealous and honest services. But he is now in opposition. Formerly he saw these

things in the sunshine; he now sees them in the shade--circumstances alter cases; and the course, which had once so truthful an aspect, is discovered to be fundamentally wrong--second thoughts are best. He recommended him a reconsideration of the subject, specially with a view to the question, whether the action, which he (Mr. Brown) has been so instrumental in bringing about on the clergy reserves, has not established such a relative proceeding between the parliament and the government at home, as to render any sudden or impatient deviation from it--unwise, impolitic and ill-calculated for success. He (Mr. Brown) has brought us into this position; and political honor and good faith demand from him a vigorous assistance to us in vigorously carrying out a successful issue. Does he suppose a bill will be more palatable to Lord Derby, than he thought, on the twenty-seventh day of May, 1851, it would be to Earl Grey?--Did the hon. member think he would "thrust it down the throat of Earl Derby" any easier or through a more capacious channel, than down Earl Grey's? If it was hopeless formerly, it was far more hopeless now--and on that very account, it seemed intended to use the parliamentary licence to make use of any means to gain the end of ministerial embarrassment, by urging now what the hon. member had denounced as the most hopeless and objectionable course. In like manner, the hon. member insisted upon a Bill for the abolition of the Rectories. How will he get that Bill "thrust down Earl Derby's throat?" It must go home, lay on the table of the House of Commons and House of Lords thirty days before even receiving the Queen's assent. This after all, is submitting it to imperial legislation. Is this better than to pursue the legal remedy already in progress? We may be said to know that these Rectories have no legal foundation to rest upon, and, therefore, that a decision against them is legally certain. But is it wise to leave this more certain course, for the less certain one of projecting it "down Earl Derby's throat," provoking in the British Parliament an interference with our domestic concerns, and raising against us all their prejudices in favor of Rectories and Ecclesiastical establishments and vested wrongs; and all this in the face of a new high Tory Government and a new high Tory Parliament, with a Bench of Bishops most devoutly conscientious and energetic in their opposition?--For the present he should pursue the course which promises speedy success--the other course by bill will do better when we appeal to a British Reform Ministry, when our constitutional disabilities are removed and our powers perfected. Notwithstanding the attacks from the hon. member, he will find the government sincere in carrying out the reforms mentioned, both civil and religious. The means may not suit him; but the end will meet the wishes of the country. He (Mr. Brown) has tendered our unworthy government his support, in order he declares, to keep the Tories out; and if they are deemed worse than we are, how bad must they be in his estimation; worse than the worst. But the hon. member, not very long ago, held the honble. gentlemen opposite in such high estimation that he would have hailed their advent to power. Remember, Sir, the high compliments he paid the Examiner newspaper--to make its weight tell against us in what he regarded injurious quotations, he declared it the best and most truth-telling journal in the country¹⁶¹.

MR. BROWN interrupted, that he said ablest¹⁶².

MR. COM. CR. LANDS ROLPH: Well, ablest, and so truthful, that he vauntingly adduced it as evidence against the government. And what says this credible witness of the hon. member's leaning towards the Tories--"that the hon. member had more than once declared to him that it was his aim and desire to see the hon. gentlemen opposite in office for four years"!¹⁶³

MR. BROWN interrupted--that he only meant that he would rather see them in power than the corrupt combinations going on¹⁶⁴.

MR. COM. CR. LANDS ROLPH [said:] He must take the evidence of the witness accredited by the hon. member (Mr. Brown) himself--the avowment is distinct, that the hon. member wished to see the Tories in power for four years. Here were so

many tergiversations, that he was perplexed with them. The hon. member was at first a warm supporter, advocate and organ for the last government--he next engaged in open and bitter hostility to them--he rejoiced in their dismemberment--and yet opposed the reconciliation of the Reform party--he wished the Tories in power for four years, and uttered his maledictions against the new government but he now thinks the Tories so much worse than they, that he hopes to keep them out, by keeping this very bad government in power; he pronounces the Speech from the Throne a bad speech, but he will nevertheless vote for it; he formerly thought it shameful to thrust Clergy Reserve Bills down the throats of British Reform Ministers, but he thinks it incumbent on us to do so with such high conservatives as Sir John Pakington and Earl Derby; he once thought the Rectories should be put down by law, but now thinks it better to thrust a Bill for it down the throats of the British. He had no right to accuse him (Mr. Rolph) or his colleagues of inconsistency, when he afforded so sad an example of it. There was another point which it became him (Mr. Rolph) to notice.--He accused the Government of the high crime and misdemeanor of reducing the prices of land without consent of Parliament. The answer was simple. The Law left the regulation of the price at the discretion of Government. That discretion they had lawfully, and they thought beneficially, exercised. He had adverted to those points which appeared more particularly to relate to him as connected with the Government; and if, in doing so, he had been betrayed into anything which might seem unparliamentary, or personal, when not so intended, he hoped for the indulgent consideration of the House.¹⁶⁵

MR. CAUCHON (in French)¹⁶⁶. M. L'orateur, je dois déclarer en commençant que je ne vois rien dans l'adresse contre quoi je puisse voter et je n'aurais pas même pris la parole dans cette circonstance, si je n'avais cru qu'il était de mon devoir d'établir ma position devant cette chambre, comme je l'ai fait devant le pays.

Mercredi, je demandais aux membres du gouvernement de nous dire le principe sur lequel reposait leur administration, et j'ai été étonné d'entendre l'honorable secrétaire-provincial dire qu'il n'était pas nécessaire de faire connaître son principe d'existence comme gouvernement, puisque c'est là toute la question et qu'un gouvernement doit être supporté ou repoussé suivant que son principe est bon ou mauvais.

Le pouvoir ne doit avoir qu'un seul principe d'être; or, celui-ci se pose sur deux principes opposés.

Pour mettre la chambre en état de juger la position actuelle du gouvernement, il est bon de faire connaître l'état du parti libéral au moment de la dissolution du parlement. Il n'est pas nécessaire précisément de remonter à l'époque où M. Cameron laissait l'administration sous un prétexte, puis sous mille autres prétextes. Son opposition au gouvernement avait créé un parti et ce parti, comme lui, était en lutte avec le pouvoir.

Il fut bientôt évident que le parti libéral, celui à la tête duquel se trouvait M. Baldwin et avec lequel agissait les libéraux du Bas-Canada, était brisé. Toute la presse du Haut-Canada repoussait ses anciens chefs politiques et les vouait à l'indignation et à l'exécration publique.

Au moment de la dissolution, il n'y avait plus de parti libéral proprement dit dans le Haut-Canada, il avait fait place à la nouvelle école, à la tête de laquelle se trouvaient MM. Rolph et Cameron. C'était tout ce que savaient, tout ce que comprenaient les libéraux du Bas-Canada, alors dans la chambre, et aussi ne furent-ils pas étonnés d'entendre l'honorable inspecteur-général, en face de l'opposition formidable que lui faisait son parti, s'écrier: "Si cet état de chose continue, si vous rendez tout gouvernement impossible, il se formera de nouvelles combinaisons et je leur donnerai mon concours, car il faut un gouvernement." Et nous n'entendîmes pas avec plus d'étonnement l'honorable représentant de la cité d'Hamilton, répliquer spontanément: "Je donnerai mon appui à n'importe quel ordre de chose plutôt que de voir arriver les clears-grits au pouvoir."

Ils avaient raison l'un et l'autre, car c'est ainsi qu'agissent dans tous les

pays ceux qui veulent avant tout le salut de la société.

Les dangers de la position devaient rallier les hommes de tous les partis autour du pouvoir qui est le représentant naturel et essentiel de l'ordre, et cela jusqu'à ce que le danger fût passé. Mais il n'en était pas moins vrai, et leurs paroles le prouvaient, que le parti qui supportait le gouvernement était en dissolution. L'honorable inspecteur-général, le chef du parti dans le Haut-Canada, après la résignation de M. Baldwin, était repoussé par toute la [sic] presse du Haut-Canada; elle disait incessamment qu'il avait trahi ses principes, et même lorsqu'il eut été appelé à former la nouvelle administration, et que MM. Rolph et Cameron, les chefs du nouveau parti, se furent ralliés à lui, cette presse, encore sous l'influence de l'indignation, disait que M. Hincks s'était rendu coupable de tant d'apostasies, qu'il ne pouvait prétendre au titre de chef du parti libéral et du gouvernement. Ce fut à cette époque, ou un peu précédemment, que trois hommes du Haut-Canada, dont un siège aujourd'hui dans cette chambre, l'honorable député de Wentworth, homme estimable dans la vie privée et que je regarde comme mon ami personnel bien que je ne partage pas ses opinions politiques, ce fut à cette époque, dis-je, que trois hommes influents du parti clear-grit allèrent trouver l'honorable inspecteur-général, pour s'engager à nouer une alliance avec les honorables députés actuels de Huron et de Norfolk. On alla d'abord trouver la presse, car on sentait qu'on avait besoin de son appui. Ces négociations avaient lieu secrètement à Toronto, et bientôt, comme par enchantement, l'on vit s'unir et se protéger réciproquement les hommes qui se déchiraient comme des ennemis acharnés quelques jours auparavant.

L'honorable inspecteur-général était devenu tellement impopulaire que l'on craignait pour le succès de son élection et que lui, le premier ministre, lui l'homme chargé de former l'administration, lui qui, par conséquent, de tous les hommes publics, devait posséder la plus grande somme d'influence avait besoin pour se faire élire des certificats et des recommandations de ses nouveaux collègues, de ceux qui un instant auparavant le vouaient à l'exécration publique comme un apostat, et que lui-même regardait comme des hommes dangereux à la société, et menaçant l'existence même du pouvoir.

Et encore malgré ces recommandations, malgré ces certificats, si humiliants dans sa haute position de premier ministre, l'opinion publique était tellement contre lui, qu'il se trouva être à Oxford dans une minorité de 175 voix, et que c'est à peine si le deuxième jour de la votation, par les coups d'une baguette magique, il obtint la faible majorité de 80 voix.

Il est donc notoire que le parti libéral, représenté dans le Haut-Canada par M. Baldwin et par l'honorable inspecteur-général, n'existait plus, et que ce n'est qu'en se greffant à l'arbre nouveau, que ce dernier pût espérer vivre de sa vie propre. Il est également évident que la force du parti se trouvait dans le Bas et non pas dans le Haut-Canada, et que c'était dans le Bas-Canada qu'il fallait aller chercher la base de la nouvelle administration.

L'honorable secrétaire-provincial a dit que son collègue, l'honorable inspecteur-général, ayant beaucoup plus de talent et de connaissance que lui, avait nécessairement exercé une plus large part d'influence dans la formation du cabinet. L'on a regretté de voir l'honorable secrétaire-provincial prendre cette position humiliante, car il ne le cède à personne dans cette chambre pour les talents et les connaissances. Il n'a pas autant d'action et de volonté que son collègue, et c'est là ce qui fait le malheur du Bas-Canada. Mais ce n'est pas en raison du talent, quelque désirable qu'il soit, qu'un homme doit exercer de l'influence dans la formation d'un cabinet, c'est en raison de la somme d'influence qu'il apporte avec lui: or, l'honorable inspecteur-général, comme je viens de le prouver, n'était appuyé par rien dans le Haut-Canada et toute la force du parti se trouvait dans le Bas-Canada. L'honorable secrétaire-provincial devait donc dire: c'est ici qu'est la force, c'est ici qu'il faut commencer et nous verrons plus tard où aller chercher le complément. Cet honorable Monsieur a donc sacrifié les intérêts du Bas-Canada,

et la force du parti. C'est pour cela que malgré le respect que j'ai pour sa personne, pour ses sacrifices, je sens le besoin de lui reprocher d'avoir perdu la belle position qu'avait faite au pays l'administration qui a précédé celle-ci. C'est pour cela que, malgré la confiance personnelle que j'ai en son patriotisme, j'ai cru devoir dire ailleurs, comme je le répète ici, que je n'ai pas confiance en son gouvernement.

En effet, quelque honnête que soit un homme, quelques pures que soient ses intentions, s'il s'est appuyé sur un principe mauvais, il sera poussé malgré lui jusqu'aux conséquences extrêmes de ce principe, et entraîné, quoi qu'il fasse, entraîné vers un ordre de chose qu'il déteste dans son coeur. On ne doit donc pas être étonné que je dise, j'ai confiance en vous personnellement, je vous supporterais dans d'autres circonstances et dans d'autres conditions d'être, mais je n'ai pas confiance en vous comme gouvernement.

L'honorable député de Kent dont je ne partage nullement les opinions politiques, vient de dérouler pleinement les principes opposés et contradictoires de la nouvelle alliance, il serait donc inutile d'insister d'avantage sur ce point. Qui ne se rappelle, en effet, que l'hon. député de Huron abandonnait l'administration de 1849, sous le prétexte d'abord que la situation d'assistant-commissaire des travaux publics était inutile et ensuite celle du président du conseil? Mais il entre dans l'administration en conservant et cette place d'assistant-commissaire des travaux publics et celle de président du conseil; et qu'il les remplisse lui-même, ou les laisse remplir à d'autres, il ne forme pas moins partie d'une administration qui les conserve, et qui, par là, suivant sa manière de voir tant de fois exprimée dans la presse, se rend coupable du gaspillage des deniers publics.

Qu'il explique maintenant, s'il le peut, ses contradictions.

J'ai dit ailleurs et je le répète, que le clear-gritisme est le socialisme, et je le dis avec d'autant plus d'assurance que l'honorable inspecteur-général l'a dit lui-même en s'adressant aux électeurs d'Oxford. Je loue le courage avec lequel l'honorable inspecteur-général disait à ses électeurs, au moment de l'élection d'Oxford, et lorsqu'il connaissait les dangers de la lutte qu'il avait à soutenir; je loue le courage avec lequel il leur disait: "Vos doctrines sont du socialisme." Qu'est-ce, en effet, que le socialisme? C'est un principe de négation, c'est le démollement de toute chose qui existe. Socialisme est un mot nouveau qui ne se trouve pas même dans le dictionnaire et qu'on a substitué au mot communisme devenu impopulaire pour en mieux faire accepter l'essence aux sociétés humaines. Le socialisme, c'est la négation de tout droit, de toute propriété, de tout principe social. Le socialisme dit: "la propriété est un vol;" et le clear-gritisme dit: vox populi, vox Dei, la voix du peuple est la voix de Dieu. Or, quelle différence y a-t-il entre ces deux propositions, si par l'une on vous dépouille en disant: vous avez volé; et l'autre, ainsi le veut le peuple? Et si la voix du peuple est la voix de Dieu, on conçoit facilement le dépouillement en vertu de la loi de Dieu.

On me répondra, sans doute, **mais** ces doctrines ne peuvent avoir aucun danger dans les jeunes sociétés de l'Amérique, et le socialisme qui prend sa force dans la misère et dans les souffrances humaines ne sauraient fructifier et grandir là où il y a du pain et de la place pour tout le monde. Mais outre que déjà plus de cent journaux prêchent le socialisme, aux Etats-Unis, dans ce pays si riche, si prospère, si grand d'avenir, lorsque Fourier promulgua ses doctrines en Europe, elles y furent regardées comme des utopies absurdes et impossibles. Cependant le germe était jeté dans le sol, et bien des années plus tard, cette semence produisit ses fruits formidables qui aujourd'hui mettent la société en danger. La France qu'un des hommes les plus éloquents de l'Espagne a appelée le club central de l'Europe; la France, nouvel Encelade, lorsqu'elle s'agite sur sa couche brûlante, fait trembler l'Europe, et ses secousses se font sentir jusque sur le sol du nouveau monde.

Les doctrines de Fourier étaient inoffensives au moment où elles furent promulguées; mais après la révolution de 1848, elles étaient représentées dans

l'assemblée nationale par plus d'un tiers de la représentation. Et pour échapper à ces terribles conséquences, la France s'est jetée dans les bras du régime militaire, et elle devra lutter cinquante ans contre cette hydre sociale.

Vous dites que le clear-gritisme n'est pas dangereux, et que, le fut-il, c'est le Haut-Canada seul qu'il peut atteindre. Mais vous avez sous un autre nom, le même principe qui vous travaille dans le Bas-Canada et qui cherche à se substituer à l'ordre de choses actuel. La presse du clear-gritisme haut-canadien, n'a-t-elle pas cent fois fait appel à ceux que l'on appelle les rouges dans le Bas-Canada, en leur disant: "Aidez-nous à tout raser dans le Haut-Canada, et quand nous aurons accompli ce travail, nous vous aiderons à faire le même travail dans le Bas-Canada." Quand vous aurez donné de la force à ce principe, et qu'il sera assez fort pour vous dominer et pour vous vaincre, il ne respectera pas plus qu'il ne le fait ailleurs, les limites que vous croyez infranchissables.

La presse du clear-gritisme se tait aujourd'hui parce qu'on lui a dit de se taire et qu'on lui a fait comprendre que ses doctrines mettaient en danger l'administration. Elle se tait donc, et voilà le secret de son silence. Mais elle se réveillera lorsqu'elle sentira qu'elle peut parler sans danger.

Je n'ai pas dit que MM. Rolph et Cameron étaient personnellement des socialistes; mais ils sont les chefs du parti clear-grit, et c'est ce principe qui les a portés au pouvoir; et, quoiqu'ils fassent, ils seront conduits malgré eux jusqu'à ses conséquences extrêmes, c'est l'honorable membre pour le comté de Kent et l'honorable membre pour le comté d'Haldimand qui les pousseront jusque là, et les perdront s'ils veulent s'arrêter. Ceux-ci à leur tour ayant atteint le pouvoir, voudront aussi s'y arrêter, mais ils seront poussés eux aussi, au-delà de la borne par d'autres qui seront jaloux d'y arriver.

MM. Rolph et Cameron ne sont pas personnellement des socialistes, de même que Raspail. Considérant, sont des hommes excessivement aimables et inoffensifs dans la vie privée, et qui surtout ne voudraient pas partager avec tout le monde ce qu'ils possèdent; mais leurs doctrines disséminées partout, n'en mettent pas moins en danger la société et la propriété qui est sa base essentielle; et cela doit nous suffire pour nous engager à les combattre, et pour dire comme l'honorable inspecteur-général: "Si vous rendez tout gouvernement impossible, il se fera des combinaisons nouvelles qui auront mon concours, parce qu'il faut un gouvernement."

J'ai dit ailleurs que si le suffrage universel n'était pas le socialisme, du moins il y conduisait; et chose singulière, quelques jours après que j'eus écrit cette doctrine, un ami m'envoyait le Quarterly Review de septembre 1851, dans lequel se trouve exprimée précisément la même doctrine. L'auteur rend compte de l'histoire de la littérature révolutionnaire, et après avoir énuméré les déceptions de la résolution de juillet, il dit: "Qu'il suffise de dire sur ce sujet que l'une des fraudes fut l'adoption du suffrage universel. Nous l'appelons une fraude parce qu'alors c'était réellement une fraude pour réconcilier le peuple avec l'éloignement de ses espérances communistes. Mais c'était un pas réel bien que détourné vers le but désiré; car si une majorité numérique doit être l'interprète d'un principe général d'égalité, il est très certain que cette majorité ne se contentera pas d'une égalité purement théorique aux yeux de la loi comme la définissent les premières constitutions françaises, mais qu'elle recherchera une égalité tangible et substantielle du confort [sic] personnel, de la considération et des jouissances, en un mot, l'égalité visionnaire de l'école socialiste qui s'imagine que faire descendre le riche au niveau du pauvre, c'est la même chose que d'élever le pauvre jusqu'au niveau du riche; et c'est dans cette duperie que réside toute l'attraction socialiste." (Ecoutez).

L'honorable député des Deux-Montagnes a dit qu'il était vrai que le suffrage universel pouvait être dangereux en Europe où la population s'était accoutumée par de longues souffrances à envier la fortune du riche et à dépouiller celui qui possède; mais qu'on n'aurait pas dû la refuser à une population dont les neuf-dixièmes sont propriétaires. Il a raison. Le suffrage universel n'est pas

dangereux aujourd'hui en Amérique parce qu'il y a de l'espace pour tout le monde et qu'avec un peu d'énergie et de travail, tous peuvent posséder. Mais le germe du mal sera là et quand ces sociétés auront un peu vieilles, quand toutes les places seront remplies, et quand pour posséder il n'y aura pas d'autre ressource que le dépouillement, ce dépouillement se fera par le suffrage universel. Or les clear-grits veulent le suffrage universel; donc leurs doctrines sont socialistes, et il faut les combattre.

Il y a de l'appréhension, de l'inquiétude partout, dans cette chambre et en dehors de cette chambre, à l'endroit de l'ordre de choses actuel. Il y a une espèce de méfiance dans tous les esprits que le passé justifie et que partagent plus particulièrement les membres de cette chambre qui fesaient partie du dernier parlement, parce que ceux-ci ont pu apprécier mieux les tendances et les sentiments du parti que l'administration a choisi pour base de son existence.

On a répudié l'honorable Robert Baldwin, le chef du parti libéral haut-canadien; on a brisé conséquemment le lien naturel, ce seul lien qui existait véritablement entre les libéraux du Haut-Canada et ceux du Bas-Canada. Pour prouver ce que j'avance, il ne faut que remonter à 1841 et faire l'histoire succincte des partis depuis cette époque jusqu'à aujourd'hui.

En 1841, lord Sydenham, par la corruption, la violence et l'oppression, avait réussi à obtenir la majorité. Mais son administration, mais sa majorité de qui se composaient-elles? des libéraux du Haut-Canada et des conservateurs du Bas-Canada, parce que dans ses calculs, il avait cru qu'il fallait écraser les Canadiens-Français dans le Bas-Canada et les conservateurs dans le Haut-Canada. Quoiqu'il en soit, l'état de chose que je viens de déclarer, existait, et il ne se trouva que trois hommes généreux, MM. R. Baldwin, J. H. Price et M. Durand, qui, à cette époque, tendirent la main aux libéraux opprimés du Bas-Canada, pendant que les libéraux de lord Sydenham lui prêtaient leurs voix pour les opprimer.

Lorsqu'en 1842, sir Charles Bagot comprit que son administration serait impuissante contre l'opposition des Canadiens-Français, et qu'il fallait abluement [sic] les appeler au pouvoir, pour récompenser M. Baldwin et ses deux amis de leur dévouement, M. Lafontaine et son parti les prirent par la main et les y firent monter avec eux. Puis toute la majorité libérale de lord Sydenham se groupa autour d'eux, parce qu'ils étaient le pouvoir. Voilà le lien d'union. Et même ce lien était si fragile que, dans l'une des questions les plus importantes pour nous, celle des biens des Jésuites, nos meilleurs amis libéraux, malgré leur dévouement habituel, votèrent contre nous jusqu'au dernier pour supporter la mesure de spoliation de ceux qui étaient au pouvoir et dont conséquemment nous devons attendre moins parce que nous les combattions.

En 1844, lord Metcalfe donna une majorité au parti conservateur haut-canadien, et en définitive, il ne se trouva dans la chambre que sept ou huit libéraux haut-canadiens, pour lesquels le Bas-Canada se sacrifia cinq années durant. N'est-ce pas là encore une preuve que l'honorable R. Baldwin était le lien naturel, et, j'ose dire, le seul lien entre les libéraux bas et haut-canadiens?

Or, cet homme, on l'a répudié parce qu'on le trouvait trop ami du Bas-Canada, parce qu'on le croyait trop assujéti à l'influence française, tandis qu'il n'était coupable que d'avoir fait son devoir envers le Bas-Canada et rien de plus. Tous regrettent l'absence dans cette chambre de cet honnête homme, et tous déplorent l'ingratitude de l'opinion.

On me dira sans doute: mais vous avez donc cessé d'être libéral? Non, je n'ai pas cessé d'être libéral; seulement je n'entends pas comme quelques autres la valeur de ce mot libéral et du mot liberté. Il y en a qui croient que pour être libéral il faut tout détruire; que la liberté consiste à forcer chacun de penser comme moi; que s'ils sont presbytériens, il faut être presbytériens [sic] comme eux; que s'ils sont anglicans il faut être anglican; que s'ils haïssent les hiérarchies et les titres, il faut anéantir les hiérarchies et les titres; que s'ils n'aiment pas les écoles séparées, il ne faut pas les voiloïr non plus, au risque de passer pour n'être pas libéral et pour être ennemi de la liberté civile et religieuse.

Pour ma part je veux autant que qui que ce soit les réformes progressives, et je m'unirai, si mes compatriotes le veulent, à tout parti qui les voudra comme moi, tout en conservant ce qui doit être conservé, tout en donnant des garanties aux institutions existantes [sic]. L'honorable inspecteur-général, encore une fois, avait raison de dire, en face du danger: "Si vous rendez le gouvernement impossible, il se formera d'autres combinaisons politiques qui auront mon concours, car il faut un gouvernement." Or, c'est là le meilleur des principes, celui de placer au-dessus de tous les principes, le salut de la société et du pays.

Voyez donc dans quelle position humiliante se trouve l'administration. Tous ceux des membres du Haut-Canada qui l'appuient et qui ont parlé depuis trois jours, ont déclaré qu'ils voulaient la représentation basée sur la population. Et l'honorable secrétaire-provincial s'est trouvé obligé de dire à ses amis qu'il la voulait aussi, mais que jamais il ne consentirait à rompre l'équilibre existant entre les deux provinces. Je savais qu'il prendrait cette positions [sic] patriotique et qu'il repousserait le sentiment exprimé par ses amis. Mais où est donc la base de son administration dans le Haut-Canada, si ceux-ci l'abandonnent lorsqu'il voudra sauvegarder les droits et les intérêts les plus chers du Bas-Canada, et si, par une étrange anomalie, elle recevait de ses adversaires naturels, l'appui que lui refuserait sa majorité habituelle?

Cet état de chose doit porter à réfléchir sérieusement, et à donner des craintes pour l'avenir.

On a parlé d'un conseil législatif électif. Je ne développerai pas ma pensée sur ce sujet important, il sera temps de le faire quand la mesure du gouvernement sera soumise à la chambre. Qu'il me suffise de dire en attendant que je ne suis pas pour un conseil législatif électif. S'il doit y avoir un changement dans la consitution, je ne veux qu'une chambre. (Ecoutez).

Je loue le gouvernement d'avoir établi une ligne de vapeurs entre le Canada et Liverpool. Seulement, je ferai remarquer à l'honorable inspecteur-général qu'il se moqua en 1850 du projet de l'honorable député de Welland et qu'aujourd'hui cependant il réalise sa pensée si absurde alors.

Il repousse les primes de pêche comme il repoussait la ligne des vapeurs en 1850, mais il finira avant peu par la proposer lui-même, quand il comprendra suffisamment l'importance de nos pêcheries et l'utilité de développer cette grande source de richesses.

Je trouve excessivement ridicule ces lectures que nous donnent sur l'économie politique des membres des deux côtés de la chambre, les uns proclamant le libre échange, les autres la protection comme la panacée universelle. Si, comme dit Cuvier, "deux zoologistes ne peuvent se regarder sans rire," il est également vrai que deux économistes ne peuvent se regarder sans rire.

On dirait qu'il est impossible de penser si ce n'est par M. Bastiat, et que les membres de cette chambre doivent abdiquer leur raison devant cette autorité. Est-ce donc que ceux qui composent la représentation ont pu être envoyés ici sans être capables de comprendre et de traiter les questions qui leur sont soumises sans avoir besoin de lectures? Or du moins il sont sensés les connaître. Rien de plus absurde que les systèmes quelqu'ils soient poussés à leurs dernières limites; ils ne font aucune distinction entre l'éducation, la position géographique, les ressources, les moyens de production, la nature des productions d'un pays, et sa position relativement à un autre peuple. Il faut être ou libre échangiste pur ou protecteur pur. Mais les véritables hommes d'état éclairés, les laissent dire et agissent eux, suivant les circonstances, et les positions relatives des peuples qu'ils gouvernent, protégeant telle industrie qui est féconde d'avenir et cessant de la protéger quand elle a suffisamment grandi pour se soutenir par elle-même.

Puisque c'est le temps de tout dire, je parlerai de la négociation de l'honorable M. Hincks en Angleterre relativement au chemin de fer d'Halifax.

Personne n'a oublié les discours et les chiffres que déroulait, en 1851, l'honorable inspecteur-général pour prouver que la ligne du major Robinson était

bonne et serait profitable. Qui ne se rappelle même qu'il a dit que cette voie ferrée, en transportant les effets pesants d'Halifax à Québec, pour un scheling le tonneau, prendrait la place du fleuve Saint-Laurent?

Mais depuis, une nouvelle administration s'est formée, et l'honorable commissaire en chef des travaux publics a fait partie de cette administration. Cet honorable monsieur brigait les suffrages de Montréal, et l'on sait que Montréal n'aime pas le chemin de fer d'Halifax.

Des électeurs écrivaient à l'honorable commissaire, le 12 novembre 1851, lui demandant son opinion et sur le canal Caugnawaga et sur le chemin d'Halifax. Il connaissait leur intention, il connaissait leur hostilité à la dernière de ces mesures et il répondit de manière à les satisfaire.¹⁶⁷

MR. INSP. GEN. HINCKS.--Ecoutez, écoutez.¹⁶⁸

MR. CAUCHON.--Comme de raison, il ne pouvait pas leur dire qu'il s'opposerait à la construction du chemin de fer d'Halifax, car c'eût été mettre en péril l'administration dont il était membre; mais il répondit aux électeurs de Montréal comme s'il eut dit: "Ne craignez rien. Je ferai donner à ce chemin malencontreux une direction qui ne sera pas nuisible. Je ferai passer le chemin directement de la frontière de la Nouvelle-Ecosse, lui ferai suivre le littoral de la baie de Fundy jusqu'à l'entrée du Saint-Jean, et de ce point le chemin de Portland, suivant la même ligne droite, conduira le commerce jusqu'à Montréal¹⁶⁹

MR. INSP. GEN. HINCKS. Ecoutez, écoutez.¹⁷⁰

MR. CAUCHON [continua:] Il est vrai que le pays dépensera inutilement quatre à cinq millions de louis et qu'il devra en payer l'intérêt toujours; il est vrai que le chemin de fer qu'ils serviront à construire sera ruineux dans les conditions d'être que je lui ferai; mais qu'importe, vous avez votre chemin, vous avez le commerce, vous Montréalais, et que vous importe si cela coûte quelques millions au pays."

Je ne blâme pas les citoyens de Montréal de vouloir attirer à eux tout le commerce. Cet instinct est naturel à toutes les localités. Je ne blâmerais pas même un simple député de chercher à favoriser d'une manière toute spéciale la localité qu'il représente. C'est là son droit, c'est là même son devoir, jusqu'à un certain point. Mais un ministre est placé dans une autre position, et comme tel il ne doit pas fléchir devant les volontés locales.¹⁷¹

MR. INSP. GEN. HINCKS.--Ecoutez.¹⁷²

MR. CAUCHON.--L'honorable inspecteur-général a beau dire: Ecoutez, il n'en changera pas pour cela les faits. Pour ma part, je ne jalouse pas Montréal; au contraire, tous ceux qui fesaient partie du dernier parlement, savent que j'ai invariablement voté pour tout projet d'amélioration dans cette ville et autour de cette ville dont je n'ai cessé de louer l'énergie et l'esprit d'entreprise. Ce que je veux, ce n'est donc pas l'exclusion, c'est le partage équitable des deniers publics. Je veux que toutes les parties de la province soient également favorisées de chemins de fer et d'autres voies de communications. Je ne veux pas la ruine du chemin de Portland pour lequel j'ai voté de grand coeur; mais je veux au moins pour le chemin de fer national des chances de compétition, avec un chemin qui ne l'est plus. Ce sentiment, est-il donc injuste?¹⁷³

MR. INSP. GEN. HINCKS. Ecoutez; écoutez.¹⁷⁴

MR. CAUCHON.--Je prévis le résultat des négociations lorsque parut la lettre de l'honorable commissaire en chef des travaux publics, et je ne fus pas le seul. Voici comme cet honorable monsieur, au moment d'une élection, écrivait pour ne pas effaroucher ses électeurs.

"Je n'hésite pas à dire que je suis fortement en faveur du chemin de fer d'Halifax à Québec et à Montreal.

"Mais pour rendre cette entreprise acceptable au peuple canadien, il est absolument nécessaire de poursuivre simultanément la construction d'un rail-road de Montréal à Hamilton. Je regarde ce dernier travail comme d'une importance même plus grande que l'autre pour le Bas-Canada en général, spécialement en vue de l'accès que nous aurons prochainement à l'Atlantique par le rail-road de Portland."

Ainsi, vous le voyez, Montréal aura bientôt sa sortie sur l'Océan, et une communication directe jusqu'à Hamilton, car c'est le chemin essentiel, suivant l'honorable commissaire. Mais le district de Québec, mais celui des Trois-Rivières, n'ont pas eux de voies de communications, n'ont pas de sortie sur l'Océan. Qu'importe, le chemin le plus utile à la ville de Montréal sera fait. Pourquoi vous plaignez-vous donc?

Je continuerai à lire:

"En autant que j'ai pu examiner le sujet, je ne suis pas en faveur de la ligne proposée par le major Robinson qui donne dans son rapport une distance de 277 milles à construire en Canada à partir de Québec.

"Je pense qu'une ligne de rail-road de Québec à la frontière du Nouveau-Brunswick, peut passer par la rivière du Loup et les Grandes Chûtes, et de là intersecter le rail-road Européen et de l'Amérique du Nord près du Saint-Jean, ce qui n'excéderait pas 190 milles de longueur."

En lisant ces lignes dans la Minerve, il fut visible à tout le monde que ce projet qui subordonnait le chemin de fer national à celui de Portland, s'imposerait au gouvernement et que l'honorable inspecteur-général, malgré tous ses discours pour prouver l'excellence, sous le rapport commercial, de la ligne Robinson, ferait plier sa volonté devant celle de son nouveau collègue.

Mais abordons maintenant la mission de l'honorable inspecteur-général en Angleterre. Agissant sous cette influence nouvelle, il écrit dans un moment de mauvaise humeur une lettre au ministre des colonies, qui est pour ainsi dire le facsimile de celle de l'honorable commissaire des travaux publics.¹⁷⁵

MR. INSP. GEN. HINCKS. Ecoutez; écoutez.¹⁷⁶

MR. CAUCHON. Je vais lire:

"Mr. Chandler et moi ne seraient pas parties à ces négociations; si elles n'étaient basées sur la vallée du Saint-Jean, ELLES SERAIENT SANS VALEUR.

"Il est tout à fait impossible au Canada de prolonger une négociation qui lui a déjà causé tant de dépenses et de troubles et qui a essentiellement retardé d'autres arrangements qui peuvent être faits pour assurer la construction des portions les plus importantes du grand chemin de fer canadien.

"J'ai raison de croire que le chemin Européen d'Halifax à la Frontière du Maine peut être construit avec les moyens seuls de la Nouvelle-Ecosse et du Nouveau-Brunswick.

"Je dois ajouter que si le gouvernement de Sa Majesté est incapable, soit par manque de temps ou par le besoin de consulter le parlement, d'en venir à une décision d'ici là (le quinze mai) le Canada SE RETIRE DE LA PRESENTE NEGOCIATION, et je croirai de mon devoir d'entrer dans des arrangements qui, s'ils sont confirmés, comme ils le seront je le pense, car le gouvernement et la législature, mettront la province en état de négocier sur la présente base. Je dois aussi faire observer que je pense qu'il n'y a qu'un seul moyen d'assurer la construction de la voie militaire favorite, c'est que ce chemin soit fait aux dépens seuls du gouvernement impérial."

Ainsi partout, la route de l'honorable commissaires [sic] des travaux publics, la pensée du chemin de fer de Portland, qui devra se prolonger jusqu'à Hamilton d'un côté et de l'autre jusqu'à la frontière de la Nouvelle-Ecosse et jusqu'à Halifax, poursuit l'honorable inspecteur-général, et quand le gouvernement impérial dit: je ne puis pas consentir à donner l'argent de l'Empire pour construire une ligne américaine, il répond: "Si vous voulez de la ligne Robinson, faites-là vous-même à vos dépens."¹⁷⁷

MR. INSP. GEN. HINCKS.--Ecoutez, écoutez.¹⁷⁸

MR. CAUCHON.--Je ne suis pas hostile à la portion du chemin de fer national qui doit s'étendre de Montréal jusqu'à Hamilton et jusqu'à Détroit, et ma voix lui est acquise d'avance; mais ce que je veux c'est l'égalité dans les faveurs gouvernementales pour toutes les parties du pays, et cette égalité, cette justice nous ne les avons pas eues. Au contraire l'honorable inspecteur-général a brisé l'avenir du chemin de fer d'Halifax par une pêtulence qui ne saurait s'excuser chez un homme habile, expérimenté comme lui.

Cet honorable monsieur a dépassé sa mission en disant à sir John Packington: Si vous voulez de la ligne Robinson, faites là vous-même. (Ecoutez, écoutez).

On me répondra, sans doute, que le Nouveau-Brunswick n'aurait pas voulu d'autres arrangements que ceux qu'a rejetés l'Angleterre. Mais cette province consentait à donner annuellement les £20,000 qu'elle s'était engagée à donner privément au même chemin Robinson, en vertu d'une loi!--Pourquoi donc alors, voyant que le nouveau projet était repoussé par l'Angleterre, l'honorable-inspecteur-général a-t-il dit de ce chemin, qu'il trouvait si avantageux et si lucratif en 1851: "Si vous le voulez, faites le vous-même," et n'a-t-il pas conservé au Canada la chance d'une nouvelle négociation sur la base du premier projet? (Ecoutez, écoutez).

En terminant, je dois dire, que l'on m'appelle inconstant ou non, que malgré les torts de la présente administration, torts qui m'ont fait dire et me font encore dire que je n'ai pas confiance en elle, je ne me séparerai pas de la majorité de mes compatriotes, car l'union entre eux est leur salut. Je regarde comme le plus grand crime possible celui d'avoir raison contre son pays. Je veux donc avoir tort avec lui ou raison avec lui, tout en l'avertissant de ce que je crois être un mal et un danger. Quand il pensera comme moi et qu'il requerra le secours de ma faible voix, je ne lui manquerai pas.

Telle est ma volonté d'action, et c'est aussi celle de ceux qui pensent comme moi dans cette enceinte et en-dehors de cette enceinte. Je ne dévierai pas d'une ligne de mes principes quand même par cette légère déviation je pourrais renverser l'administration. Plus que cela je ne consentirai jamais à renverser le pouvoir par une minorité de mes compatriotes, car encore une fois leur salut réside dans leur union et dans cela seul.

C'est ainsi que je prétends agir tout en me réservant le droit de mettre au besoin ma pensée devant la chambre et le pays. (Ecoutez, écoutez).¹⁷⁹

MR. AT. GEN. RICHARDS thanked the member for Frontenac for some remarks in connection with himself. He did not know what the appointment of one of his friends by the late administration had to do with the present administration; but it was true such an appointment was made; but it was not true that that gentleman did not give satisfaction. The same hon. gentleman had complained that the measures of ministers were not mentioned in the Speech. This was not the case in England, as he attempted to show from a speech of Lord Stanley. He then replied to Mr. Boulton's estimate of the different expenses of government in Canada and Massachusetts: stating the former at 1d. per head. He then went on to give a history of the railroad negotiation between Mr. Hincks and Sir John Pakington, contending that Mr. Hincks had done nothing to destroy the prospect of the railroad, and that in fact he had acted quite properly in addressing the Imperial government as he had done after being kept for so long a time waiting for an answer. The hon. member for Frontenac had spoken as if the hon. Inspector General had failed to consult his views in constructing the ministry, and he had no doubt that in fact the hon. gentleman did not consult the views of the hon. member for Frontenac at all, but had rather consulted those of his party and the country in general. He did not conceive that the speech contained everything; some people complained that it had already too many topics in it; and he believed if more were there it would be complained of as too long.¹⁸⁰

MR. MARCHILDON having risen to address the House--¹⁸¹

MR. INSP. GEN. HINCKS rose and complained of the length of the debate, there being no less than twenty seven members who addressed the House, a thing which had not, he believed, been done for many years in England, where there were so many more members of the House.¹⁸²

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On motion of the Honorable Mr. Macdonald, seconded by the Honorable Mr. Robinson,

Ordered, That the Debate be adjourned until Monday next, and be then the first Order of the day.

The Order of the day for the second reading of the Bill to supply an omission in Schedule B to the Act to amend the Upper Canada Municipal Corporations Law Amendment Act of 1850, being read;

Ordered, That the Bill be read a second time on Monday next.

Then, on motion of Mr. Smith of Frontenac, seconded by Sir Allan N. MacNab, The House adjourned until Monday next.¹⁸³

FOOTNOTES: 27 AUGUST 1852.

1. QUEBEC GAZETTE, 27 August 1852, reported that "the House met this afternoon at three o'clock."
2. The following papers reported the debate on this matter in identical accounts: JOURNAL DE QUEBEC, 31 August 1852, and LE PAYS, 6 September 1852. The following papers reported the debate in partially identical accounts: QUEBEC GAZETTE, 30 August 1852, MORNING CHRONICLE, 28 August 1852, MONTREAL GAZETTE, 31 August 1852, PILOT, 1 September 1852, HAMILTON SPECTATOR DAILY, 2 September 1852, BRITISH COLONIST, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, NORTH AMERICAN SEMI-WEEKLY, 7 September 1852, BRITISH WHIG, 7, 8 September 1852, EXAMINER, 8 September 1852, NIAGARA MAIL, 8 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NORTH AMERICAN, 9 September 1852, and OTTAWA CITIZEN, 11, 18 September 1852. The following papers noted the debate in identical accounts: PILOT, 28 August 1852, HAMILTON SPECTATOR DAILY, 28 August 1852, BRITISH WHIG, 28 August 1852, GLOBE, 28 August 1852, MONTREAL GAZETTE, 28 August 1852, HAMILTON GAZETTE, 30 August 1852, BRITISH COLONIST, 31 August 1852, NORTH AMERICAN, 2 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, BATHURST COURIER, 3 September 1852, OTTAWA CITIZEN, 4 September 1852, and LA MINERVE, 28 August 1852. The following papers noted the debate in partially identical accounts: BRITISH WHIG, 30 August 1852, PILOT, 30 August 1852, and MONTREAL GAZETTE, 30 August 1852. The debate was also reported by: EXAMINER, 1 September 1852; GLOBE, 7 September 1852; LA MINERVE, 31 August, 2 September 1852; and L'AVENIR, 1 September 1852. Commentaries appeared in: QUEBEC GAZETTE, 27 August 1852; and NORTH AMERICAN, 9 September 1852. EXAMINER, 1 September 1852, described the debate as "unusually interesting."
3. MORNING CHRONICLE, 28 August 1852.
4. HAMILTON GAZETTE, 6 September 1852.
5. MORNING CHRONICLE, 28 August 1852.
6. IBID.
7. EXAMINER, 1 September 1852.
8. MORNING CHRONICLE, 28 August 1852.
9. EXAMINER, 1 September 1852.
10. GLOBE, 7 September 1852.
11. IBID.
12. IBID.
13. MORNING CHRONICLE, 27 August 1852.
14. GLOBE, 7 September 1852.
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39. IBID.
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63. MORNING CHRONICLE, 28 August 1852.
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119. MORNING CHRONICLE, 28 August 1852.
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122. QUEBEC GAZETTE, 30 August 1852.
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148. QUEBEC GAZETTE, 30 August 1852.
149. MORNING CHRONICLE, 28 August 1852.
150. QUEBEC GAZETTE, 30 August 1852.
151. IBID.
152. L'AVENIR, 1 September 1852.
153. LA MINERVE, 2 September 1852.
154. JOURNAL DE QUEBEC, 31 August 1852.
155. IBID.
156. IBID.
157. IBID.
158. MORNING CHRONICLE, 28 August 1852.
159. QUEBEC GAZETTE, 30 August 1852.
160. IBID.
161. IBID.
162. IBID.
163. IBID.
164. IBID.
165. IBID.
166. MORNING CHRONICLE, 28 August 1852. EXAMINER, 1 September 1852, commented that "Cauchon of the Quebec Gazette ... [spoke] in the ancient language of Lower Canada."
167. JOURNAL DE QUEBEC, 31 August 1852.
168. IBID.
169. IBID.
170. IBID.
171. IBID.
172. IBID.
173. IBID.
174. IBID.
175. IBID.
176. IBID.
177. IBID.
178. IBID.
179. IBID.
180. MORNING CHRONICLE, 28 August 1852.
181. IBID.
182. IBID.
183. LA MINERVE, 31 August 1852, reported that "la séance n'a été levée qu'à une heure après minuit."

MONDAY, 30 AUGUST 1852.

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JOHN PRINCE, Esquire, Member for the County of Essex, having previously taken the oath according to Law, and subscribed before the Commissioners the Roll containing the same, took his seat in the House.

The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. LaTerrière,--The Petition of the Municipal Council of the second Municipal Division of the County of Saguenay; the Petition of the Reverend A. Simard and others, on behalf of the Association of Charitable Ladies of the Parish of St. Etienne de la Malbaie; and the Petition of Mrs. Eleanor Teed, of the City of Quebec.

By Mr. Patrick,--The Petition of J. Easton, M.D., and others, of the Town of Prescott; the Petition of James Turnbull, junior, and others, of the Town of Prescott; the Petition of the Reverend James Elliott and others, the Wesleyan Methodist Congregation of the Town of Prescott; and two Petitions of the Town Council of the Town of Prescott.

By Mr. Polette,--The Petition of François Boucher and others, of the Parish of St. Joseph de Maskinongé, County of St. Maurice.

By Mr. Dumoulin,--The Petition of André A. Asselin, Teacher, of St. François Xavier du Lac St. Pierre, County of Yamaska; and the Petition of J. B. Pepin, President, and others, Trustees of the Corporation of the Common of the Seigniorship of St. Antoine de La Baie.

By Mr. Laurin,--The Petition of William Ruthven, of the Parish of St. Louis de Lotbinière; and the Petition of the Reverend Edouard Faucher and others, of the Parishes of Lotbinière and Ste. Croix, County of Lotbinière.

By Mr. Burnham,--The Petition of Robert C. Struther and others, of the Township of Murray, and that part of the Township of Brighton formerly making part of the said Township of Murray, County of Northumberland.

By Sir Allan N. MacNab,--The Petition of A. English and others, mechanics, operatives and others, of the City of Hamilton.

By Mr. Solicitor General Chauveau,--The Petition of P. M. Bardy, Esquire, Secretary, on behalf of the School of Medicine of Quebec.

By Mr. Street,--The Petition of Lewis Clement, of the Village of Thorold, County of Welland.

By Mr. Taché,--The Petition of the Honorable A. N. Morin and others, of the City of Quebec; the Petition of Donald Fraser and others engaged or interested in the Cod Fisheries in the Gulf of St. Lawrence; and the Petition of Antoine Bernier and others, of the Parish of St. Simon, County of Rimouski.

By Mr. Prince,--The Petition of William P. Vidal, Esquire, and others, of the Township of Moore, County of Lambton; and the Petition of William B. Wells, Esquire, and others, Justices of the Peace in and for the County of Kent, in Court of General Quarter Sessions assembled.

By Mr. Mongenais,--The Petition of J. A. Mathison and others, of Pointe à Cavagnal, County of Vaudreuil.

By the Honorable Mr. Macdonald,--The Petition of Henry Smith, Esquire, late Warden of the Provincial Penitentiary of Canada.

By Mr. Willson,--Two Petitions of the Municipal Council of the United Counties of Middlesex and Elgin; and the Petition of M. Anderson and others, of the Town of London.

By Mr. McDougall,--The Petition of the Reverend P. L. Lahaye and others, of Stanfold, Blandford, and other places in the Counties of Nicolet and Lotbinière; and

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the Petition of the Reverend J. B. Chartré and others, of St. Pierre les Becquets, County of Nicolet.

By the Honorable Mr. Chabot,--The Petition of Louis Harvay and others, of L'Isle aux Coudres, County of Saguenay; the Petition of the Right Reverend the Bishop of Tloa, and others, Members of the Société Ecclesiastique de St. Michel; the Petition of Sister M.A.M. Mallet, Superior, and other Nuns, Sisters of Charity of Quebec; and the Petition of Dunbar Ross of the City of Quebec, Esquire, Advocate.

By Mr. Sicotte,--The Petition of Benjamin Ouimet and others, of the Townships of Upton and Acton.

By Mr. Rose,--The Petition of Samuel Ault and others, of the Township of Osnabrock.

By Mr. Cartier,--The Petition of the Reverend T.H. Prévost, Director, and others, Officers and Members of "La Congrégation des Hommes de Ville Marie," of Montreal.

By Mr. Stuart,--The Petition of William Patton, Esquire, and others, of the Judiciary District of St. Thomas.

By Mr. LeBoutillier,--The Petition of the Reverend F. Alain and others, of the Township of New Richmond, County of Bonaventure.

By Mr. Brown,--The Petition of the Reverend James Lore and others, Members of the Presbyterian Church of Mono Center, Canada West; the Petition of Henry Stevens and others, of the Village of Warsaw, Township of Dummer; the Petition of the Reverend A.F. Atkinson and others, of the Town of St. Catharines; and the Petition of the Reverend William Meldrum and others, of the Congregation of Puslinch in connection with the Presbyterian Church of Canada.

By the Honorable Mr. Cameron,--The Petition of Thomas Robson and others, of the western part of the Township of London; and the Petition of William Jameson and others, Members of the Mechanics' Institute and Library Association of Renfrew.

By Mr. Varin,--The Petition of Benoit Hoffay, late Sergeant, and Alexis Rubin, late Corporal, of the DeMeuron Regiment.

By Mr. Ridout,--The Petition of the British America Fire and Life Assurance Company.

Pursuant to the Order of the day, the following Petitions were read:--

Of J. Rouleau and others, of the Parish of Ste. Claire de Joliet, County of Dorchester; praying for aid to re-construct a Bridge across the River Etchemin, in the said Parish.

Of the Reverend P.H. Jean and others, Trustees appointed for the construction of an Agricultural and Industrial College in the Parish of Pointe Levi, and others of the said Parish; praying for aid to enable them to complete the said College.

Of Pierre Paquet, Esquire, and others, of the Parish of St. George d'Aubert Gallion, County of Dorchester; praying aid to repair the Bridge de la Famine on the Kennebec Road, in the said County.

Of Edmund Boland and others, of the Townships of Whitchurch and East Gwillimbury; of Benjamin Pearson and others, of the Township of King; and of Edmund Coulson and others, of the Township of Toronto; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal or mechanical purposes.

Of the Municipality of the Township of Stamford; praying for the passing of an Act granting to the said Municipality additional powers, to enable them better to provide for the protection and comfort of visitors to the Falls of Niagara.

Of William Bacon, of the Village of Ogdensburgh, in the State of New York; representing that he was part owner of the Steamer Sir Robert Peel, destroyed dur-

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ing the troubles of 1838; that the other in part owners received indemnification for their said loss; but that he, not being a British subject, did not receive such compensation, and praying to be indemnified therefor.

Of the Municipal Council of the United Counties of Leeds and Grenville; praying for the repeal of the Act 14 & 15 Vic. cap. 73, which provides for raising the sum

of Four millions of pounds for the construction of a Grand Trunk Railway to Halifax.

Of George Tooth, of the City of Quebec; praying that certain property of which he was deprived when committed to the Penitentiary at Kingston, may now be restored to him.

Of the Reverend A. Gosselin and others, of the Island of Orleans; praying aid for the construction of a Wharf at the River Lafleur.

Of Jean Renaud and others, of the Parishes of Ste. Famille and St. Pierre de l'Isle d'Orleans; praying for the passing of an Act to prevent depredations on their lands by persons from Quebec and elsewhere, who go on fishing and hunting excursions.

Of William Sheppard and others, of Grantham and other Townships; praying aid for the construction of a Bridge over the River St. Francis, opposite the Village of Drummondville.

Of François Daigle and Alexis Dufresne, of the Parish of St. Damase, County of St. Hyacinthe; praying for an Act of Incorporation to authorize them to construct a Toll Bridge over the River Yamaska, in the said Parish.

Of the Corporation of the Toronto House of Industry; praying for the passing of an Act to define the powers of the said Corporation.

Of Joseph Painchaud, Esquire, M.D., and others, of the City of Quebec; praying indemnity for damages sustained by their property, by reason of the act of Colonel Higgins in blowing up certain buildings with powder during the fire in the said City on the 26th December, 1851.

Of J.B. Miville de Chéne, of St. Henry, District of Quebec; praying indemnity for the loss of his Schooner laden with provisions, wrecked in the year 1816, while in the service of the Government.

Of the Reverend James Thom and others, Members of the Congregation of the Presbyterian Church at Three Rivers; of Kenneth M. Fenwick and others, on behalf of the Congregational Church at Kingston; of Duncan McColl, Esquire, and others, of the Township of Aldborough; of the Municipality of the Township of Aldborough; and of John Moodie and others, of the Townships of Glenelg and Bentinck; praying the adoption of measures for the abolition of labor on the Lord's Day in the Postal Department of the Public Service.

Of Thomas Renwick and others, of the Township of Romney; praying that the said Township may be separated from the Township of Tilbury East, and erected into an independent Municipality.

Of Louis Guillet, Esquire, and others, of the Parishes of Sta. Anne and St. François-Xavier de Batiscan; praying for the passing of an Act to compel the proprietors of the Ste. Anne, Batiscan, and all other Bridges, to commute with those living near such Bridges for the amount of Tolls to be paid by them annually or otherwise.

Of the Reverend E. Chabot and others, of the County of Nicolet; praying that so much of the Report of the Select Committee appointed during the last Session to enquire into the causes which retard the settlement of the Eastern Townships, as recommends the opening of a Road through the Township of Maddington, may be carried into effect.

Of the Reverend A.J. Martineau and others, of the Parish of Ste. Marthe,

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County of Vaudreuil; praying the adoption of measures for defining the rights of Seigniors and removing certain Seigniorial abuses.

Of William Hoople, Pilot, of the Township of Osnabruck, County of Stormont; praying compensation for his services in being mainly instrumental in the establishment of the North Channel of the Longue Sault Rapids, as a safe and convenient passage for Steamers plying between Montreal and Kingston.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying for the modification or repeal of the Act incorporating the Trust and Loan Company.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying for the passing of an Act similar to the Maine Liquor Law, for the suppression of intemperance.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying for certain amendments to the Jury Law.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying that the office of County Revenue Inspector be abolished, that his duties be performed by the Township Inspector, and that the monies arising from Licenses to Public Houses be paid directly into the Township Treasury.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying the adoption of certain measures for appropriating the Clergy Reserves to Common School purposes, and to abolish the Rectories.

Of Mrs. Emily Mackie and others, the Ladies Committee of the Quebec Infant School; praying for aid in behalf of the said Institution.

Of B.S. Lafleur, of the City of Quebec, Water Bailiff of the Port of Quebec; representing that he has served in that capacity for seventeen years, and that by the Act 12 Vic. cap. 114, his salary has been much diminished, and praying that it may be increased.

Of James Motz, of the City of Quebec, Esquire; praying for the passing of an Act to secure him the enjoyment of his Bridge over the River Etchemin, and to indemnify him for losses sustained by the misconstruction of the Act granting the privilege of erecting the said Bridge.

Of Richard J. Shaw and others, of the City of Quebec; praying for an Act of Incorporation as the "Temperance Hall Association."

Of William Crosbie Hanson, Esquire, of the District of Three Rivers; praying indemnification for the loss he has sustained, and the damage done to his property, in consequence of the building of a Bridge by the Government over the River Godfroy in the said District.

Of His Grace the Archbishop of Quebec, and others, Members of the Séminaire de Nicolet; praying for aid in behalf of the said Institution.

Of Luc Letellier, Esquire, of the Parish of Rivière Ouelle, in the County of Kamouraska, Notary Public, late a Candidate for the County of Kamouraska, and as such duly qualified, and Alexander Fraser, of the Parish of St. André, in the County of Kamouraska aforesaid, Notary, and Cyprien Lebel, of the Parish of St. Louis of Kamouraska, in the County of Kamouraska aforesaid, Esquire; setting forth: That at the late Election in and for the County of Kamouraska of a Member to represent the said County in this Parliament, being a General Election, which took place in the said County of Kamouraska, in November and December last, Jean Charles Chapais, Esquire, of the Parish of St. Denis, in the said County, and the Petitioner, Luc Letellier, were the Candidates, and that the other Petitioners at the time of the said Election were, hence hitherto have been, and still are Electors of and Voters for the said County, duly qualified and having a right to vote at the Election to which this Petition relates, and that they voted for the said Luc Letellier at the said Election: That at the said Election a Poll was demanded, granted, and proceeded with, and that at the closing of the said Election, to wit,

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on the tenth day of December last, the said Jean Charles Chapais was declared and returned as duly elected to represent the said County by the Returning Officer, on which occasion several Electors of the said County duly qualified to vote at the said Election, tendered to the said Returning Officer a written protest against the Return of the said Jean Charles Chapais, which protest the said Returning Officer refused to receive, and with which protest he refused to comply: That the Petitioners have good reason to believe, and do verily believe and aver, that a large majority of legal votes was recorded at the said Election in favor of the said Luc Letellier, and that the majority of the said Jean Charles Chapais, with a large number of Voters besides, to wit, five hundred and more, was only a

colorable one, being composed of persons not entitled to the franchise, or whose votes were rendered illegal by reason of bribery, violence and corruption: That in the Parish of St. Pacôme, in the County of Kamouraska aforesaid, being a Parish within the meaning of the Law, to wit, within the meaning of the Provincial Statute of the 12th Vic. cap 27, including tracts of land which, at the date of the Writ of the said Election, to wit, on the sixth day of November last, was generally reputed to form a Parish, and was duly erected into a Parish, wherein a Poll should have been opened and kept separately, no such Poll was opened and kept separately during the said Election, whereby a very great number of the Electors in that Parish and other places, only qualified to vote therein at the said Election upon property lying within the limits of the said Parish of St. Pacôme, and others having a right and being bound by Law to vote in that Parish, and who were desirous of voting therein for the said Luc Letellier, were deprived of an opportunity to record their suffrages in favor of the said Luc Letellier: That in the Parish of Mont Carmel, in the County of Kamouraska aforesaid, being a Parish within the meaning of the Provincial Statute of the 12th Vic. cap. 27, including tracts of land which, at the date of the said Writ, to wit, on the sixth day of November last, was generally reputed to form a Parish, and was in fact a Parish wherein a Poll ought to have been opened and kept separately, no such Poll was opened and kept separately during the said Election, although a Poll had been appointed for the same by the Returning Officer of the said County, by his Proclamation, which said Poll was subsequently unlawfully suppressed, and which Poll the said Returning Officer, on the nomination day, to wit, on the twenty-eighth day of November last, immediately after having granted a Poll and before adjourning his proceedings, did refuse and neglect publicly to proclaim from the hustings, whereby a very great number of Electors in that Parish and other places only qualified to vote therein at the said Election upon property lying within the limits of the said Parish of Mont Carmel, and others having a right and being bound by law to vote in that Parish, and who were desirous of voting therein for the said Luc Letellier, were deprived of an opportunity of recording their suffrages in favor of the said Luc Letellier: That in the Township of Ixworth, in the County of Kamouraska aforesaid, being at the time of the said Election a Township wherein a Poll ought to have been opened and kept separately during the said Election, whereby a very great number of Electors in that Township and other places only qualified to vote therein at the said Election upon property lying within the limits of the said Township of Ixworth, and others having a right and being bound by Law to vote in that Township, who were desirous of voting therein for the said Luc Letellier, were deprived of an opportunity of recording their suffrages in favor of the said Luc Letellier; whereby the said Jean Charles Chapais obtained an undue advantage over the said Luc Letellier, by means whereof the said J.C. Chapais was unduly and illegally elected as the Representative in Parliament for the County of Kamouraska, and whereby the said Election and the Return of the said J.C. Chapais are wholly and altogether null and void: That a very great number of the Voters of the said J.C. Chapais, to wit, five hundred voters and more, at the said Election, recorded their votes in favor of the said J.C. Chapais, without having any of the qualifications required by the Statutes in this behalf, namely,

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without having been possessed for their own use and benefit as proprietors by virtue of some legal title vesting such property in them, either in fee simple or in freehold under the tenure of free and common soccage, or in fief or in roture, or in franc aleu, or by virtue of a Certificate derived under the authority of the Governor and Council of the late Province of Quebec, or by virtue of any Act or Acts of the Legislature of either the late Provinces of Upper or Lower Canada, or of the Legislature of Canada, of lands and tenements lying and being in the said County, and being of the clear annual value of forty-four shillings and five pence and one farthing currency, equal at the time of passing of the Act of the Imperial

Parliament passed in the thirty first year of the Reign of His Majesty George the Third, commonly called the Constitutional Act, to forty shillings sterling or upwards, over and above all annual rents (rentes foncières,) or constituted rents (rentes constituées,) or any other rents and charges payable out of or in respect of the same, and without such persons at the time of giving their votes at the said Election having been in actual and uninterrupted possession of any lands or tenements, or in the receipt of the rents and profits thereof as proprietors as aforesaid, by virtue of or under their own use and benefit, during at least six calendar months next before the date of the Writ for the said Election, to wit, before the sixth of November last, and without the same having come to them by descent, or inheritance, or by devise, marriage or contract of marriage, and without such Voters having any deed or instrument in writing containing a promise of sale in their favor, and without such Voters being in possession of property mentioned in any deed or instrument in writing as aforesaid, or without having any deed or instrument in writing containing a promise of sale as aforesaid in favor of any other person or persons through whom such Voters held the property mentioned in such deed or instrument in writing, which might be considered, for the purposes of the Statute in such case made and provided, as a legal title vesting such property in the persons who so voted as aforesaid, and without such deed or instrument, not being a Notarial deed or instrument, having been enregistered at least twelve months before the said Election, and without such Voters having any of the other qualifications required by Law to vote at the said Election: That the said J.C. Chapais, being such Candidate as aforesaid, at the said Election for the County of Kamouraska, did directly and indirectly employ means of corruption, by giving sums of money, offices, places, employments, gratuities, and rewards, and bonds, bills and notes, and conveyances of lands, and made promises of the same to divers Electors having votes in the said County, to wit, to five hundred of the said Electors and more, and did threaten divers others Electors of the said County, to wit, five hundred Electors of the said County and more, with loss of offices, salaries, incomes and advantages then and there possessed by such Electors, and this both by himself and his authorized agents for this purpose, with the intent to corrupt and bribe such first mentioned Electors to vote for him the said J.C. Chapais, as such Candidate as aforesaid, and to keep back the said last mentioned Electors from voting for the said Luc Letellier, the other Candidate at the said Election; and that the said J.C. Chapais being such Candidate as aforesaid, did open and support, and caused to be opened and supported at his costs and charges, divers houses of public entertainment for the accommodation of the Electors of the said County, in which said houses of public entertainment, and divers other places in the said County, he did give and distribute, and cause to be given and distributed, large quantities of flour, bread, and pork, drink, spirituous liquors, and other provisions, to the said Electors in and for the said County, with the intent to corrupt and bribe the Electors of the said County to vote for him the said J.C. Chapais: That the said J.C. Chapais, and his agents and partizans as aforesaid, by the employment of such means, of such threats as aforesaid, and other undue, corrupt and illegal practices, did obtain and have over the said Luc Letellier, as such other Candidate as aforesaid, an undue majority, by means whereof he was unduly and illegally returned as the Representative in Parliament of the said

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County of Kamouraska: That at the said Election for the said County of Kamouraska, divers persons did give and cause to be given and loan divers sums of money, and did give divers gratuities and rewards, and did give divers bonds and notes, and did make divers conveyances of lands and other property, and did promise the same to divers Electors in consideration and for the purpose of corrupting such Electors to vote for him the said J.C. Chapais, being such candidate as aforesaid, and to forbear to give their votes to the said Luc Letellier as such other Candidate as aforesaid, and as a compensation to such Electors for their loss of

time and expenses, in going to and returning from voting as aforesaid: That the said J.C. Chapais, by means of corruption last above mentioned, did obtain and have over the said Luc Letellier, as such other Candidate as aforesaid, an undue majority, by means whereof he was unduly and illegally returned as the Representative in Parliament of the said County of Kamouraska: That the said J.C. Chapais, being such Candidate for the representation of the said County of Kamouraska, did, with intent to promote his election, provide and furnish entertainment at his expense to divers meetings of Electors assembled for the purpose of promoting such Election, and did pay for, procure, and engage to pay for such entertainment; and that divers other persons, with intent to promote the Election of the said J.C. Chapais as such Candidate as aforesaid for the representation of the said County, did provide and furnish entertainment at their expense, at divers meetings of Electors assembled for the purpose of promoting such Election, both previous to and during the said Election, at which he the said J.C. Chapais was a Candidate as aforesaid, and did pay for, provide and engage to pay for such entertainment as aforesaid: That the said J.C. Chapais, by the means of corruption, bribery, and treatment last above mentioned, did obtain and have over the said Luc Letellier, as such other Candidate as aforesaid, an undue majority, by means whereof he was unduly and illegally returned as the Representative in Parliament of the said County of Kamouraska: That the Petitioners do further humbly allege and aver, that at the last Election of a Member to serve in Parliament for the said County of Kamouraska, the Petitioners had a right to vote and did vote at the said Election, save and except the said Luc Letellier; that at the said Election the said J.C. Chapais and the said Luc Letellier were the Candidates to represent the said County in Parliament; that the said J.C. Chapais was by the Returning Officer of the said County, declared duly elected as a Member to serve in Parliament for the said County; that before and after the teste and issuing out of the Writ for holding the said Election, and at, during, and after the said Election, the said J.C. Chapais did, by himself, his agents, friends, managers, partizans, and others on his behalf, by divers ways and means, directly and indirectly give and present, and allow to persons having votes at such Election, money, meat, drink, entertainment, and rewards, and promises, agreements, obligations, and engagements to give and allow money, meat, drink, entertainments and rewards, and promises to and for such persons, in order that he the said J.C. Chapais might be elected, and being elected might serve in this present Parliament for the County of Kamouraska; that the said J.C. Chapais by himself, his agents, friends, managers, partizans, and others, on his behalf, was guilty of extensive and systematic bribery, treating, and corrupt practices, in order to procure persons having or claiming to have a right to vote at the said Election to vote for the said J.C. Chapais, or to forbear to give their votes for the said Luc Letellier, and that such bribery and corrupt practices were open and notorious in the said County, and were well known to the Electors thereof: That the Return of the said J.C. Chapais was procured by the said corrupt and unlawful practices, by reason whereof the said Election and Return of the said Jean Charles Chapais was and is wholly null and void: That the Petitioners do further humbly represent, that Jean George Taché, as such Returning Officer, did not cause the Proclamation to be by him issued within eight days after the reception of the said Writ of

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Election for the said County, to be posted up in the manner required by the Statute in that behalf, at least eight days before the day which, by such Proclamation, he had fixed for holding the said Election, to wit, the day called the nomination day: That the Petitioners do further humbly represent and aver, that at the said Election for the said County of Kamouraska, Jean George Taché, Esquire, the Returning Officer for the said County of Kamouraska, did neglect to appoint a Deputy Returning Officer for the Parish of St. Louis de Kamouraska, commonly called the Parish of Kamouraska, in the County of Kamouraska aforesaid, to receive and

register the votes of the Electors of the said Parish, wherein a Poll was appointed, and that no Poll Clerk was duly named and appointed for the same Parish of St. Louis de Kamouraska, by means whereof the said Election for the said County of Kamouraska is altogether null and void, the votes in the said Parish having been taken by the said Jean George Taché in person; and praying the House will be pleased to direct the Return for the said County to be amended accordingly, by erasing therefrom the name of the said Jean Charles Chapais, and inserting instead thereof, the name of the said Luc Letellier; and that the House will take the premises into consideration and will declare the Election and Return of the said Jean Charles Chapais null and void, or that the House will afford such other relief in the premises as to the House may seem meet.

Of the Right Reverend the Roman Catholic Bishop of Montreal and others; praying for the passing of an Act to incorporate the College of Ste. Marie, at Montreal.

Of the Montreal and New York Railroad Company; praying for the passing of an Act to confirm and extend the Act incorporating the said Company.

Of the Corporation of the College of L'Assomption; praying for aid.

Of the Corporation of the College of L'Assomption; praying for a certain amendment to their Act of Incorporation.

Of Mrs. Charlotte McCormick, widow of the late Sheppard McCormick, a Commander in the Royal Navy; praying that the Pension granted to her late husband by the Parliament of Upper Canada, for his service in that Province, may be continued to his widow and children.

Of Louis M. Coutlée and others, of the County of Ottawa; praying for aid to complete the Road from Grenville to Fort William, to construct Bridges thereon, and to extend the navigation of the Ottawa River to the Joachim Rapids.

Ordered, That the Petition of François Daigle and Alexis Dufresne, of the Parish of St. Damase, County of St. Hyacinthe; the Petition of Richard J. Shaw and others, of the City of Quebec; and the Petition of the Montreal and New York Railroad Company, be referred to the Standing Committee on Standing Orders.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of James Hamilton, and find the Notice sufficient.

They have also examined the Petitions of the Company of Proprietors of the Champlain and St. Lawrence Railroad,--of the St. Lawrence and Atlantic Railroad Company,--and of the Bank of Montreal, severally praying for amendments to their respective Acts of Incorporation, and they find that the said amendments are not of such a nature as to require the publication of notice. The Petition of the Reverend J.D. Deziel and others, for incorporation of a Mutual Insurance Company for Roman Catholic Churches, is also one that does not come within the provisions of the rule requiring Notice.

Your Committee would respectfully represent to Your Honorable House, that it is most desirable that Members having charge of Petitions referred to the Committee, should be prepared, immediately after such reference, to lay before them the proofs

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that the requisite Notices have been given, as much loss of time and labor on the part of the Committee would thereby be saved, and all unnecessary delay in the consideration of the Petition be avoided.

Ordered, That the Honorable Mr. Badgley have leave to bring in a Bill to amend the several Acts incorporating the Company of Proprietors of the Champlain and St. Lawrence Railroad, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

Ordered, That the Honorable Mr. Young have leave to bring in a Bill to authorize an addition to the Capital Stock of the Bank of Montreal, and to facilitate the transfer of Shares in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

Mr. Stevenson, from the Standing Committee on Printing, presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee have directed their attention at the commencement of their labors to the subject of an alteration in the present form in which the Journals and Appendices of Your Honorable House are printed.

By reference to a Report made by the Printing Committee of last Session, Your Committee find that this change appears to have been favorably entertained, and a Resolution passed in its favor and reported to the House.

Your Committee having given the subject their attentive consideration, are unanimously of opinion, as well on the score of economy as that of convenience, to recommend to Your Honorable House, that, in future, the Journals and Appendices, as also Sessional Papers, (Bills excepted,) be printed in Royal Octavo Form, of the size of the Report on Trade and Navigation for 1851, with new Small Pica Type, without Marginal Notes, and with but two blank lines between the page heading and the reading matter. The Yeas and Nays in the Journals to be in Long Primer, in four columns.

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That the said Report be taken into consideration, on Thursday next.

Ordered, That the Honorable Mr. Young have leave to bring in a Bill to amend an Act passed in the eighth year of the Reign of Her Majesty to incorporate the St. Lawrence and Atlantic Railroad Company, and to extend the powers of the said Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Avant¹ l'appel des ordres du jour, MR. DUBORD lit de sa place deux lettres par lesquelles il appert qu'ayant chargé un ami de demander au député de St. Maurice (M. Turcotte) des explications du démenti par lui donné à l'honorable représentant de la cité de Québec, le député de St. Maurice aurait déclaré que ce démenti ne s'appliquait pas à M. Dubord, mais au bruit auquel ce monsieur avait fait allusion dans son discours dans la séance de vendredi dernier.²

L'ordre du jour sur les débats sur l'adresse est appelé.³

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The Order of the day being read, for resuming the adjourned Debate upon the Question which was on Tuesday last proposed, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquillity has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

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That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as the circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that His Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

That this House will give its best consideration to the various subjects

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referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid developement of some of its more recently settled districts:

That this House will consider whether through the instrumentality of the Muni-

cial system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good;

And the Question being again proposed;--The House resumed the said adjourned Debate.⁴

MR. J.A. MACDONALD (de Kingston) commence son discours en faisant la revue des débats précédents.⁵ He believed the Country had a right to expect further explanations than had been afforded by the government, especially at the commencement of a new parliament, and after a ministry had been broken up, in peculiar circumstances, at the end of an old parliament, which could not demand explanations. The Inspector General had not explained why he threw overboard his old friends and forsook these conservative principles in consequence of which that his (Mr. McDonald's) side of the House rendered them some support. He should have explained why he had joined the clear grits. He read from the speech of Mr. Spence at the Cameron reform dinner at Toronto containing a defence of Mr. Hinck's conduct, during the last parliament, to the effect that Mr. Hinck's had a drag upon him, (laughter) which was now removed, and that in consequence of that drag, he could not carry out progressive reforms. This drag he (Mr. McDonald) supposed meant Messrs. Lafontaine and Baldwin.⁶ Ces hommes les plus honnêtes⁷ [and] the most upright ... with whom the Inspector General was ever allied, and he might look back upon his alliance with them as the best period of his political life. The hon. member proceeded to condemn the Inspector General for his union with the minister of the bureau of agriculture, and cited one of Mr. Hincks' expressions against Mr. Cameron in former times, to the effect that a man might defend himself from a highway robber, but not from a treacherous friend. The enmity between these gentlemen was well known, and⁸ et il serait curieux, dit-il, de connaître

les motifs qui les ont engagés à se réconcilier et à agir de concert.

La création du bureau d'agriculture n'est qu'un prétexte pour faire entrer l'ex-représentant de Huron dans le ministère⁹, and it would never have been thought of but for that expediency. What did the hon. member know of agriculture? Nothing whatever, and his assuming such an office was ridiculous. He commented upon the clear grit principles, as declared in the platforms, and contended that it was for the infusion of these into the ministry that Messrs. Cameron and Dr. Rolph were introduced into the ministry. The hon. gentleman for Norfolk might not have made an agreement in writing, but it was understood that he went into the ministry as the representative of grit principles.¹⁰ L'honorable membre parle ensuite longuement contre la sécularisation des réserves du clergé¹¹. They had heard from the seconder of the Address, that it would be degrading for the House to pass a bill for the secularization of the Clergy Reserves. Was that not receding from the demands of the grits? Would that satisfy the grits of Upper Canada? He saw by the Examiner that nothing less than a bill would satisfy the people; and, the Attorney General must have been a little thunder struck at seeing in the Brockville Recorder a report of a reform convention in the county of Leeds, demanding by a solemn resolution the introduction of a bill to secularize the Clergy Reserves. And he (Mr. McC.) should not be surprised if there were a demand made upon the ministry before the session is over for the introduction of such a bill. He condemned the re-agitation of the Clergy Reserve question in the country by certain members of the late and present administrations. He said that question was at rest, and that the present settlement had been regarded as a final one by the hon. Robert Baldwin. He remarked upon different paragraphs of the speech from the throne, and concluded by stating that there was no principle in common among the members of the administration except the desire to hold office¹², aussi longtemps qu'ils le pourront¹³, and that he contended was immoral, and must be productive of pernicious effects in the country.¹⁴

MR. SOL. GEN. CHAUVEAU (in French) said¹⁵: Si j'étais persuadé de l'inutilité des adresses et des formes, si je croyais qu'un message du gouverneur serait suffisant, je n'aurais pas comme certains honorables membres ajouté à la perte de temps, par des observations, des accusations et des récriminations.¹⁶ The attack of the hon. member who had just sat down was nothing but a mass of contradictions¹⁷. L'honorable membre pour Kingston (M. McDonald) a fait un double reproche aux membres du gouvernement de n'avoir pas suffisamment expliqué la formation du présent ministère et de n'avoir pas expliqué du tout les causes de la retraite de leurs prédécesseurs. La première question est matière d'opinion. Plusieurs des orateurs qui m'ont précédé se sont déclarés satisfaits des explications données par l'inspecteur-général et le secrétaire provincial. L'autre reproche est bien le plus étrange qui ait jamais été fait à un gouvernement.¹⁸ M. Chauveau redit ensuite l'histoire de la résignation de M. Lafontaine¹⁹. Personne n'ignore que la retraite des honorables procureurs généraux M. Lafontaine et M. Baldwin, amena la dissolution du dernier cabinet. Ces deux hommes d'état sont seuls responsables de leur démarche et de ce qui en a été la conséquence immédiate. M. Baldwin s'est retiré à la suite d'un vote de cette chambre et il a expliqué lui-même pourquoi il se retirait. L'honorable représentant de Kingston qui a pris part à ce vote, qui avec ses amis, en se coalisant avec l'honorable membre pour Haldiman [sic] et quelques autres membres de cette section de la chambre qu'il appelle l'extrême gauche, a contribué à placer M. Baldwin dans la position dans laquelle cet homme d'état n'a pas cru devoir rester, l'honorable représentant de Kingston a bien mauvaise grâce à nous demander d'expliquer ce dont il a été lui-même l'auteur. Quant à M. Lafontaine²⁰, it was perfectly well known that he resigned on purely personal grounds, and it was therefore simply absurd to desire an explanation of the political reasons of that gentleman for his resignation.²¹ Il avait annoncé longtemps d'avance sa retraite pour des raisons toutes privées, dont il ne doit compte à personne, et dont à plus forte raison personne ne doit

compte pour lui.²² Sa version [de la résignation de M. LaFontaine] ne diffère en rien de celle donnée par les membres de l'administration²³. The hon. member continued to speak at considerable length; but from his position was only distinctly heard at intervals.²⁴ L'honorable représentant de Kingston qui a fait la plus grande opposition comme réformiste à ces deux honorables messieurs tant qu'ils ont été dans cette chambre, les réclame comme conservateurs à présent qu'ils n'y sont plus. Il est vrai qu'il prétend que son parti les a soutenus pendant la dernière session. Alors je ne comprends plus l'un des reproches que l'honorable membre a adressés à l'inspecteur-général. Il a accusé l'inspecteur-général d'avoir abandonné M. Baldwin pour les clear-grits, d'avoir été aux hustings avec un programme radical, et d'être revenu dans cette chambre sans son programme: il l'a accusé d'avoir trahi hier, M. Baldwin pour le parti clear-grits, et de trahir aujourd'hui les doctrines clear-grits ... [d'occuper] la même position dans cette chambre de faire la même politique que M. Baldwin lui-même y ferait. Mais dans ce cas l'hon. membre pour Kingston ne devrait-il pas appuyer l'inspecteur-général, comme il prétend avoir appuyé M. Baldwin? L'opposition que l'hon. représentant fait au ministère est la meilleure réfutation des accusations contradictoires qu'il porte contre l'inspecteur-général.

L'honorable représentant a aussi reproché au gouvernement la division qu'il prétend régner de ce côté-ci de la chambre. Il nous a reproché les discours de l'honorable membre pour Haldimand et de l'honorable membre pour Kent. Comment l'honorable membre a-t-il pu nous faire ce reproche, lorsqu'en le faisant, il entendait les applaudissements de l'honorable membre pour Toronto, dont les doctrines ont été solennellement répudiées par l'honorable chevalier qui représentait la ville ... d'Hamilton? Si la division est d'un côté de cette chambre, l'harmonie ne paraît pas exister de l'autre côté.²⁵ Ce que l'hon. membre de Kingston reproche à l'administration n'est pas la faute de l'administration, mais celle du temps où nous vivons.²⁶ C'est la faute des événements.²⁷ Ce sont les individualités et non les partis qui font de l'opposition au gouvernement.²⁸ Le même fractionnement politique existe partout ailleurs, et en Angleterre, aux Etats-Unis, en France plus que partout ailleurs avant l'avènement de Louis-Napoléon. Ici et en Angleterre cette tendance est due à l'esprit du siècle qui n'est plus autant à la politique de parti, qu'à l'industrie, au progrès matériel, aux questions sociales et économiques. Un écrivain contemporain l'a remarqué avec raison: le lien des partis se relâche, ils se divisent en factions, les factions en coteries, les coteries en individualités. Le siècle malheureusement est à l'individualisme.

Faut-il donc s'étonner si, nous aussi, nous avons nos individualités? Si nous avons l'individualité de l'honorable membre pour les Deux-Montagnes (M. Papineau), l'individualité de l'honorable membre pour Toronto (M. Boulton), l'individualité de l'honorable membre pour Haldimand (M. McKenzie), l'individualité de l'honorable membre pour Kent (M. Brown), enfin l'individualité de l'honorable membre pour Montmorency (M. Cauchon).

L'honorable membre pour Toronto a attaqué le gouvernement sur le terrain de l'économie politique et il a été en cela secondé par l'honorable membre qui est assis à côté de lui (M. Gamble). Je loue pour ma part ce genre de discours. Je crois que l'on peut gagner beaucoup à ces nouvelles tendances qui se manifestent dans nos débats, que ces questions de tarif, de canaux, d'importations, d'exportations ne s'agissent pas en vain, et sans profit. Je crains seulement une chose, c'est qu'à l'exception de deux ou trois hommes qui ont fait de cette science une étude spéciale, avec tous nos chiffres, avec nos vieilles théories habillées de neuf ou nos jeunes doctrines revêtues de nulle expérience, nous ne ressemblions un peu à des écoliers, qui après une année d'étude passent un brillant examen, et rendent un compte pompeux de leurs leçons apprises la veille.

L'hon. membre pour Toronto nous a parlé de l'excédant de nos importations sur nos exportations. Il nous a dit qu'il ne voulait pas d'autre preuve de notre appauvrissement. Ignore-t-il qu'aux yeux de beaucoup d'économistes cette théorie

est rangée au nombre des vieux sophismes? Croit-il que le marchand étranger donne ses marchandises pour rien? Ne sait-il pas que le profit fait sur l'exportation en retour, que le fret, que bien d'autres choses encore doivent être tenues en compte contre le montant importé?

Mais l'hon. membre pour l'un des arrondissements d'York est venu au secours de son ami, que l'inspecteur-général avait un peu maltraité sur le terrain de l'économie politique. L'hon. inspecteur-général s'était assez naturellement servi de chiffres pour faire ses démonstrations [sic]. Un adversaire a cru bien faire en entreprenant de prouver que les statistiques ne prouvent rien, parce qu'elles peuvent tout prouver. Il peut y avoir de mauvais raisonnements faits avec des chiffres comme avec des paroles. Cela n'établit qu'une chose, c'est que les chiffres comme les paroles ont besoin d'être pesés et raisonnés. L'hon. membre a trouvé plus commode de créer une nouvelle doctrine que l'on peut formuler comme ceci: N'ayez point de statistiques [sic] du tout ... si vous voulez en avoir de correctes! Ce qui ressemble à l'axiome de Jocrisse n'ayez pas de voisins, si vous voulez vivre en paix avec eux! (Ecoutez!)

L'hon. membre a de plus découvert que ce qu'il fallait à ce pays c'était une population de consommateurs. L'hon. membre entretenant des opinions protectionistes, j'aurais été moins surpris, s'il nous avait dit qu'il voulait une population de producteurs! Mais l'hon. membre veut faire à tout prix de ce pays, un pays manufacturier et regrette que l'on force notre population à se jeter dans l'agriculture! Quel dommage en effet que dans un pays comme le nôtre, dont la plus grande partie du sol est encore une magnifique forêt vierge, dont la population n'est nulle part très dense, où les bras manquent au sol, où le sol ne manque pas aux bras, on ne s'avise point d'entasser dans des manufactures une population de travailleurs soumise à toutes les variations du commerce, qu'on ne s'expose pas de gaieté de coeur au paupérisme et à toutes les misères que les crises du commerce font éprouver aux populations manufacturières! Cela s'applique surtout au Haut-Canada que l'hon. membre représente, et les remarques de l'hon. membre auraient été assurément mieux placées dans la bouche de quelqu'un des membres de notre section de la province. Je ne les blâme, au reste, que dans ce qu'elles ont d'exagéré. Nul ne peut bien longtemps consommer sans produire, et les distinctions de l'hon. membre sont plus théoriques que pratiques. Au reste, les deux honorables membres dont je viens de parler avaient une thèse à soutenir, l'appauvrissement de la province; ils ont pris tous les arguments dont cette thèse est susceptible sans peut-être trop les choisir.

L'hon. membre pour le comté des Deux-Montagnes a soutenu la même thèse. Elle n'est pas nouvelle pour lui. Il a aussi blâmé le secrétaire de la province de ce qu'il n'était point prêt à proposer à cette chambre un bill pour un conseil législatif électif. L'hon. membre, en regrettant que ce sujet ne fût pas du nombre de ceux qui ont été mentionnés dans le discours d'ouverture, a remarqué que la question avait été longtemps perdue de vue; qu'elle avait besoin d'être agitée de nouveau qu'il fallait voir si le peuple dans ses pétitions, dans ses assemblées demanderait aujourd'hui ce qu'il avait demandé autrefois. [Qu'aurait dit] l'hon. membre, si dans cet état de l'opinion publique, le gouvernement ait proposé une mesure complète ... ses détails? N'aurait-il pas crié à la dictation, à la surprise?

L'hon. membre a aussi blâmé le paragraphe de l'adresse qui a rapport à l'extension de la franchise élective. Il trouve que les intentions du gouvernement ne vont pas assez loin sur ce point; il a fait cependant une admission importante, c'est que la représentation actuelle ne diffère guères de ce qu'elle serait si nous avions le suffrage universel. Il ne sera peut-être pas sans utilité plus tard de rappeler à l'honorable membre que cette chambre représente, a bien peu de chose près, le suffrage [sic] universel.

L'honorable membre que je ne vois pas à sa place, éprouve à l'égard du secrétaire de la province, plus de crainte que d'espoir. S'il entend dire que cet honorable monsieur a renoncé aux principes libéraux de toute sa vie, et pour

lesquels il a fait des sacrifices que tout le monde connaît, j'ai la confiance que le représentant des Deux-Montagnes sera agréablement trompé. Si, au contraire, l'honorable membre espérait que le secrétaire provincial partagerait les vues extrêmes, prendrait la position extrême que lui-même a prise, et qu'il a encouragé quelques-uns de ses jeunes compatriotes à prendre de manière à rendre ses talens et les leurs inutiles à leur pays, je suis certain qu'alors l'honorable membre aurait raison d'avoir plus de crainte que d'espoir. Je regrette que l'honorable membre ne soit pas à sa place. Cette circonstance m'empêche de répondre plus au long à son discours et me force à descendre plus promptement que je ne l'aurais voulu de l'individualité pour bien dire historique et européenne de cet honorable membre à l'individualité toute contemporaine et locale de l'honorable représentant de Montmorenci.

Cet honorable membre a trouvé à redire, sous plusieurs rapports, à la formation du présent cabinet, et il a exprimé à ce sujet divers regrets. Je n'examinerai point si l'honorable membre éprouve réellement tous les regrets qu'il a exprimés, encore bien moins examinerai-je s'il a exprimé tous les regrets qu'il éprouve.²⁹

MR. CAUCHON.--L'honorable membre expliquera sans doute comment il fait partie de l'administration?³⁰

MR. SOL. GEN. CHAUVEAU.--Je ne pense pas que l'honorable membre ait le droit de me dicter l'ordre dans lequel je dois adresser mes observations à cette chambre. Je répondrai à la question de l'honorable membre quant j'aurai fini le sujet dont je m'occupe maintenant.

L'honorable membre a donc regretté d'abord que le ministère ait été formé dans le Haut-Canada, que l'on eut commencé sa formation par la section haut-canadienne, et il a ensuite regretté qu'un principe qu'il n'a pas bien défini, mais qu'il croit être un précurseur des principes socialistes, ait été admis dans la formation du présent cabinet. Il a été plus loin; en disant qu'il avait dit telle ou telle chose ailleurs, il a fait allusion à des documents, dont son discours n'a été qu'un écho affaibli, documents dont personne dans cette chambre jusqu'à présent n'a cru devoir mentionner l'existence, et qui (la chose est triste, j'en conviens) paraissent être déjà complètement oubliés.

Le premier regret que l'honorable membre a exprimé est assurément bien étrange. Je crois que le gouverneur-général était à Toronto lorsque les membres du dernier cabinet se sont démis de leurs charges. Le chef de l'état n'a pas coutume de se rendre auprès de ceux avec qui il veut se consulter, il a l'usage de les appeler auprès de lui. L'honorable inspecteur-général et l'honorable secrétaire provincial ont cru devoir se rendre auprès du gouverneur. L'honorable membre pour Montmorency en aurait sans doute agi autrement il aurait prié le gouverneur-général de descendre de suite à Québec. Et bien je suppose que l'honorable membre eût réussi et que le chef de l'état fût descendu à Québec pour conférer avec lui. L'honorable membre aurait formé d'abord la partie Bas-Canadienne de son administration. Ensuite, comme l'honorable membre nous a dit que nous étions en position de choisir entre les partis Haut-Canadiens, l'hon. membre serait ensuite monté dans le Haut-Canada avec son ministère Bas-Canadien, et là il aurait mis ce ministère aux enchères. Il aurait négocié avec les deux partis, et il aurait demandé à chacun d'eux quels sacrifices ils étaient prêts à faire. Il aurait dit: J'ai Sir Allan McNab, M. Rolph combien donnez-vous pour mon ministère? Quels sacrifices êtes-vous prêts à faire dans l'intérêt du Bas-Canada? Et l'honorable membre croit-il qu'un gouvernement formé ainsi, sous de tels auspices, aurait obtenu l'appui d'aucun parti dans le Haut-Canada?

Outre le fait que le gouverneur-général était alors à Toronto, les honorables membres qui ont avisé Son Excellence sur la formation du cabinet on eut [sic] des raisons bien palpables de s'occuper d'abord de la section haut-canadienne. C'était là, comme l'a dit l'honorable membre lui-même, c'était là qu'était la difficulté.

L'hon. procureur-général pour le Bas-Canada ne s'était retiré sur aucune question politique; il en était autrement dans le Haut-Canada où il s'agissait de reconstituer le parti réformiste. L'inspecteur-général et le secrétaire-provincial avaient donc besoin d'avoir terminé d'abord les arrangements relatifs à cette section de la province afin de pouvoir expliquer aux messieurs du Bas-Canada à qui ils proposeraient de se joindre à eux, sur quelle base ils avaient fait ses [sic] arrangements.

L'hon. membre pour Montmorency a blâmé l'inspecteur-général d'être allié avec MM. Rolph et Cameron. Comme je l'ai dit, l'hon. membre aurait donc négocié avec les deux partis à la fois, ou il serait allé droit au chef du parti tory, à l'hon. membre pour Hamilton, sans rien tenter pour reconstituer le parti réformiste.

Alors, l'hon. membre pour Montmorency aurait adopté un système contre lequel il a tant combattu, le système des deux majorités.³¹

MR. CAUCHON.--Non.³²

MR. SOL. GEN. CHAUVEAU.--De deux choses l'une: ou l'hon. membre aurait adopté le système des deux majorités, ou il se serait déclaré lui-même conservateur. Ou il aurait dit à Sir Allan McNab: gouvernez le Haut-Canada avec une majorité conservatrice, et je gouvernerai le Bas-Canada avec une majorité réformiste. Soyez maître chez vous, et je serai maître chez moi. Ou bien il aurait dit: vos principes seront les miens, vos vues seront les miennes, vos dieux seront mes dieux! Je serai comme vous tory, ou s'il aime mieux le mot, conservateur.

Il ne s'agissait plus de nuances plus ou moins avancées, comme dans le parti réformiste, il s'agissait d'une alliance de parti à parti. Il fallait choisir entre être réformiste ou tory.³³

MR. CAUCHON.--Non, l'honorable membre se trompe.³⁴

MR. SOL. GEN. CHAUVEAU.--Alors je ne sais plus ce que l'honorable membre aurait fait. Je ne vois pas comment il aurait pu sortir de ce dilemme.

Je n'ai pas bien compris ce que l'honorable membre a dit aujourd'hui du socialisme. Il y a eu un mélange, une confusion d'expressions dans sa bouche au sujet de certains principes qui ne sont pas encore dans le ministère, ou en lui, mais qui cependant y sont, puisqu'il n'y a que deux principes combinés, l'un doit toujours être plus fort que l'autre. Je crois que pour justifier la position de l'administration il suffirait de mettre les déclarations de l'hon. membre pour Kent (M. Brown), qui occupe une position analogue à celle de l'honorable membre pour Montmorency, en regard des sciences. Je pense que la meilleure preuve que l'administration est dans le vrai, c'est que l'honorable membre pour Haldimand, et l'honorable membre pour le comté des Deux-Montagnes lui font absolument des reproches diamétralement opposés à ceux de l'hon. représentant du Montmorency. Les honorables membres se combattent et se refutent les uns les autres.

L'hon. représentant de Montmorency nous a annoncé une détermination dont je le félicite. Il a annoncé qu'il ne voulait pas diviser ses compatriotes. (Ecoutez). J'en prends actes. L'hon. membre dit qu'il attendra. Qu'attendra-t-il? Il prendra une position d'observation et il attendra sans doute que ses compatriotes aillent à lui en masse et sans se diviser. Si j'en juge par le silence que ses compatriotes dans cette chambre ont gardé sur le grand sujet du socialisme qui effraie tant l'hon. membre, si j'en juge par leur dispositions [sic] et par tout ce qu'ils ont dit jusqu'à présent, je trouve qu'ils ont beaucoup l'air de dire à l'hon. membre comme dans une des pièces de Régnard.

Attendez-moi sous l'orme.....

Vous m'attendrez longtemps!

L'hon. membre m'a demandé d'expliquer comment et pourquoi je faisais partie de l'administration. L'explication est bien simple. L'hon. secrétaire-provincial a dit à cette chambre qu'il m'avait cru propre à remplir la situation que je remplis et qu'il me l'avait offerte. Je n'ai qu'à dire à cette chambre que je n'ai pas

cru devoir refuser à l'hon. secrétaire-provincial le concours qu'il me demandait. S'il y a dans mes antécédants [sic] quelque raison pour laquelle l'hon. membre croit que je n'aurais pas dû faire partie du gouvernement, il aurait dû les exposer: j'aurais pu lui donner probablement les explications qu'il désire.³⁵

MR. CAUCHON.--Ecoutez! Ecoutez!³⁶

MR. SOL. GEN. CHAUVEAU.--L'hon. membre est bien préoccupé de savoir pourquoi et comment je suis dans le gouvernement. Je ne lui demanderai pas pourquoi il se fait qu'il n'y est point. Je ne m'en occupe pas.

L'hon. membre a attaqué l'inspecteur-général et le gouvernement sur un sujet que j'avoue être plus substantiel et plus important que celui du socialisme. Il a prétendu que nous n'aurions jamais de chemin de fer de Québec à Halifax par la faute de l'inspecteur-général. L'hon. membre qui a objecté à la nomination de l'hon. commissaire des travaux publics, parce qu'il était un homme nouveau et sans expérience, lui a donné de suite l'influence d'avoir tout fait dans cette grande affaire de chemin de fer. Il aurait imposé ses vues non seulement au gouvernement de cette colonie, mais encore il aurait fait découvrir aux hommes du Nouveau-Brunswick ce qu'ils ont bien trouvé d'eux-mêmes, qu'une route dans les parties habitées de leur province traversant leur plus grands centres de population serait préférable. Et dans quel intérêt? parce que, selon l'hon. membre, la seconde route ferait une concurrence moins redoutable au chemin de Portland. Cette assertion reste à prouver. Si l'hon. membre avait accusé le commissaire des travaux publics d'insincérité, d'avoir été en faveur de cette seconde route pour faire manquer tout le projet, je comprendrais cette accusation tout en la repoussant. Mais il a admis la sincérité du gouvernement, et alors je ne comprends plus son accusation.

L'hon. membre pour Montmorency aurait dû montrer comment l'inspecteur-général aurait pu forcer le Nouveau-Brunswick à adopter une ligne dont il ne voulait pas: ou bien comment il aurait pu forcer le gouvernement impérial à se soumettre aux exigences du Nouveau-Brunswick. Il a fait un reproche qu'il n'a pas fait seul à l'inspecteur-général de sa lettre à sir John Packington. Ignore-t-il que lorsque cette lettre a été écrite, le ministère avait déclaré dans les chambres qu'il ne consentirait à aucun arrangement sans avoir produit la correspondance et obtenu l'assentiment des chambres? Sait-il aussi que dans cette courte session, on ne voulait et on ne pouvait décider aucune grande mesure dans la position où se trouvait le nouveau cabinet de Lord Derby? Quelqu'opinion que l'on entretienne sur la lettre de l'inspecteur-général, il est certain que, comme résultat, elle a amené dans le parlement, dans la presse, des discussions sur les intérêts de ce pays dont les suites ne peuvent que nous être avantageuses. Elle a attiré sur nous l'attention que nous n'obtenons que rarement en Angleterre où nous sommes si peu connus, comme plusieurs hon. membres l'ont remarqué; les ministres en Angleterre ont cru avoir tout dit lorsqu'ils ont dit que l'inspecteur-général avait obtenu les mêmes égards qu'ils avaient accordés à l'envoyé d'un état indépendant. Ce ne sont pas ces égards que l'honorable membre voulait sans doute, c'est la confiance due au représentant d'une partie intégrante de l'empire (Ecoutez!) Il ne voulait pas être traité en ministre étranger faisant valoir des intérêts étrangers; mais en ministre britannique faisant valoir des intérêts britanniques. (Ecoutez! écoutez!)

Pour ma part je crois que ce chemin de fer se fera, qu'il doit nécessairement se faire, dans l'intérêt de l'empire plus encore que dans celui de la colonie, ou dans les intérêts locaux que l'honorable membre pour Montmorency a fait valoir. Les tendances qui se manifestent dans le pays qui osent même se produire dans cette chambre, font voir que si tous les intérêts commerciaux de ce pays continuent à se lier intimement avec ceux de la république voisine au détriment de la Grande-Bretagne, les affections suivront de près les intérêts et que la domination Britannique sur aucune partie de ce continent deviendra une question, question grave qui comportera avec elle celle de la prépondance [sic] de l'empire dans le monde.

Je ne crois pas qu'au moment où la Russie et la république américaine prennent d'aussi vastes développements, aucun ministre de sa Majesté en Angleterre voulut risquer de compromettre la possession de ces colonies qui forme un territoire aussi grand et plus fertile en ressources que toute l'Europe continentale, à l'exception de la Russie.³⁷

MR. MARCHILDON (in French) from his position could only be very indistinctly heard. He was understood to say that the Railroad was a great question for him, and he wished to have it constructed, but he believed a member ought not to vote for the spending of the people's money without consulting his constituents.³⁸ Les chemins de fer ... sont trop coûteux pour les moyens d'un pays pauvre comme le nôtre. L'hon. membre à propos de la loi d'éducation dit qu'il est pour une taxe imposée par cette loi; que c'est le seul moyen de répandre l'instruction dans le Bas-Canada. Que le système de contribution volontaire n'est bon à rien. Que si l'on veut vraiment que le peuple s'instruise, il faut conserver la taxe en faveur de l'éducation.³⁹

DR. LATERRIERE.--Il est présomptueux de la part d'un pauvre seigneur de campagne comme moi de demander la parole à cette heure avancée de la discussion sur les questions complexes que comportent les résolutions soumises à cette chambre. Talents oratoires, mémoire, moyen d'improvisation, tout me manque pour impressionner mon auditoire. Je compte néanmoins sur l'indulgence de cette chambre. On a parlé de la machineseigneuriale. C'est une question brûlante de difficultés. Il est temps que l'on en finisse; car l'agitation que l'on continue de faire à ce sujet, démoralise de plus en plus nos campagnes et fera d'un peuple honnête un peuple-canaille, comme je le disais dans la dernière session. On a parlé aussi d'améliorer le département des terres publiques, l'agriculture, de modifier l'acte d'éducation, des municipalités, des chemins, etc. Enfin, d'apporter des réformes à tous les abus. Cette session au moyen des lumineux flambeaux de cette chambre, va produire des résultats extraordinaires!!! Que Dieu le veuille; car tout ce qui vient de Dieu est juste et aura mon appui. Notre Seigneur n'a-t-il pas commencé hier, par chasser les voleurs de cette chambre? Pouvons-nous commencer nos labeurs sous de meilleurs auspices?

Il est vraiment facile de comprendre sur quelle base se fera la guerre offensive et défensive de cette session. Les généraux de chaque parti, connaissent leurs forces respectives. Cela s'est opéré dans les statistiques parlementaires. Ce début préliminaire [sic] est une enquête, une déclaration de bonne foi, du moins je le suppose, des sentiments politiques de chaque membre. C'est en cela sa grande et précieuse utilité (n'en déplaise à ceux qui sont d'une opinion contraire), surtout à l'ouverture d'une chambre composée en grande partie de nouveaux éléments.

En prenant la parole à cette heure avancée de la discussion, je ne prétends faire impression sur personne par des vues nouvelles sur le sujet. Nous devons nous attendre que sur la discussion du discours du gouverneur, qui donne une aussi grande latitude à ceux qui désirent se mettre en évidence, que chacun exprimerait ses vues, comme on l'a fait de part et d'autre sur la formation de la présente administration qui tient non seulement en ses mains un intérêt, mais qui peut disposer de tous les intérêts de cette province. Sur cette question vitale pour la prospérité, l'avenir des deux Canadas, que de matières volcaniques sortiront encore du cratère brûlant de cette chambre? Je suis entré ici et je me suis tenu dans une disposition d'esprit à n'être influencé que par des faits, par des actes qui devront provenir de cette administration.

J'ai soutenu et je déclare que je soutiendrai encore la plupart des hommes qui composent le dernier cabinet et qui faisaient partie de la précédente administration. Mais je déclare aussi que je ne les soutiendrai, qu'en autant que les hommes, les éléments nouveaux qu'ils se sont adjoints rendront justice égale aux intérêts communs de la province, qu'ils soient clear-grits ou de toute autre couleur. Comme l'a déclaré l'honorable membre de Saint-Maurice, ça été pour lui un grand sacrifice, ça été pour moi un symptôme précurseur (imaginaire je l'espère) d'un pire état de

chose que de voter en faveur de la première proposition de ce cabinet, qui en principe péchait fondamentalement contre l'entente bien arrêtée de la balance mini-
térielle. Le physicien le plus expérimenté peut souvent se tromper dans l'amalgame
des corps hétérogènes, et l'on sait que pour unir des Français et des Anglais col-
lectivement sur leurs propres affaires, rien n'est plus difficile. Mais au contraire,
pour de pures convenances sociales, rien de plus simple. La politesse française
n'est-elle pas proverbialement connue? Ces deux peuples, les deux premiers peuples
de la terre cherchent à se surpasser en urbanité, en bonnes maximes; et voilà tout.
Notre position à nous, Canadiens-Français, relativement à celle des canadiens
anglais, est celle des deux pôles de la terre. Nos lois, nos habitudes, tous nos
intérêts sont différents. Nous voir réunis ici encore une fois pour être les
éléments d'une expérience politique impossible, c'est ce dont je ne puis me rendre
un compte honnête. Les membres du Haut-Canada peuvent-ils connaître nos besoins,
et nous les leurs?

Aujourd'hui nous avons entre cet état latent de choses et notre avenir, la
personne du gouverneur-général (grand et noble coeur), qui nous a fait pour ainsi
dire oublier cette injustice. Il a été insulté, vilipendé par des bêtes féroces
qu'il aurait pu faire exterminer; mais seul, au risque de sa vie, il leur a fait
face, et par un courage et une modération au-dessus de tout éloge, il a gagné contre
eux et contre une populace aveuglée, mais aujourd'hui reconnaissante de sa fermeté,
de ses talents comme administrateur, "Une bataille rangée, la plus grande bataille
morale qui se soit jamais livrée en Canada!" L'histoire est là, et elle trans-
mettra à la postérité son nom chéri, par nous Canadiens-Français. Ce que je dis,
M. l'orateur, est l'expression sincère des sentiments de reconnaissance que tous
les Canadiens Français dans cette chambre sont prêts à corroborer; et de plus, que,
ce qui est contenu dans l'adresse à cette chambre est vrai et découle de son
administration. N'avons-nous pas eu successivement depuis la conquête, les règnes
de terreur des Haldimand, des Craig. Dans l'intervalle des règnes moins tyraniques
[sic], l'on fesait des progrès en connaissances constitutionnelles, grâce à
l'habileté et aux services, à ne jamais être oubliés de l'honorable membre de
Deux-Montagnes, lui aussi, ce grand coeur, ce coeur ulcéré aujourd'hui, a rendu
d'ineffaçables services à son pays. Enfin sont venus les déplorables malheurs de
1837, suspension de constitution, loi martiale, sauve qui peut général, exil, con-
seil spécial, conseil des terreurs présidé par sir John Colborn, surnommé le vieux
brûlot, pendriche, etc. Ensuite l'arrivée et le départ trop précipité pour le
bonheur du pays, d'un homme d'état du premier ordre (lord Durham), auquel a succédé
sir Poulet Thompson, nommé lord Sydenham, pour avoir escamoté par un consentement
spécieux des hauts-canadiens, et promulgué la présente constitution. A ce dernier
a succédé sir Charles Bagot, le promulgateur en cette province d'un gouvernement
responsable. Après lui lord Metcalfe. Tout cela est historique. Et qui pourrait
nous garantir qu'après lord Elgin, ne lui succéderont point d'autres Sydenham,
d'autres Metcalfe? Peut-on se dissimuler que la tête de l'hydre, forcée au silence
fait des efforts incessants pour resaisir [sic] le pouvoir et nous faire perdre
notre juste part dans l'administration des affaires de cette province. Nous parais-
sons néanmoins vivre dans cet état latent de chose, nous Canadiens-Français avec
cette bonne foi qui nous caractérise dans ce monde ici-bas, dans ce monde enfin
comme s'il était le meilleur des mondes possibles, comme s'il ne devait pas y avoir
de perturbation, de pire état. Ce gouvernement, cet ensemble mixte du Haut et du
Bas-Canada, ce gouvernement hermaphrodite, ne peut se soutenir que par des conces-
sions et des sacrifices. Ce gouvernement de bascule, de perturbation, d'intrigues
continuelles pour sa propre préservation, absorbe une partie de l'action qu'il
devrait mettre à des affaires pratiques plus importantes. Vouloir, pouvoir également
bien le constituer autrement, est chose presque impossible. Et pourquoi nous l'a-
t-on imposé? N'en avons-nous pas fait depuis dix ans l'expérience? n'en avons-
nous pas aujourd'hui encore la preuve la plus convaincante? Jusqu'à quand resterons-
nous dans un tel état de choses qui, je le crois, pourrait tôt ou tard compromettre
notre connexion avec l'empire.

Ne sait-on pas comment on devient indépendant en Canada d'après ce qui s'est passé tout dernièrement en Angleterre? Le voulez-vous ou ne le voulez-vous pas? A une réponse négative, "Que Dieu vous bénisse et que le diable vous emporte" a été à peu près la réplique. Pour signaler l'action presque impossible autrement de ce gouvernement, sans égard aux millions qui ont été dépensés dans le Haut-Canada, si l'on propose quinze mille louis pour le Bas-Canada, il en faut autant pour satisfaire l'appétit du Haut, que ça soit nécessaire ou non. Nous en avons eu la preuve lors de la translation du siège du gouvernement de Toronto à Québec, et nous en aurons des preuves additionnelles dans le cours de cette session. Voilà incontestablement le résultat, l'action de l'union. Je ne suis pas néanmoins contre le gouvernement responsable. Je voudrais au contraire que chaque province eût le sien en les divisant comme ci-devant; et c'est, suivant moi, le seul remède qui ferait disparaître toutes nos difficultés, et surtout mes appréhensions pour l'avenir. Tout irait bien alors, car l'expérience nous a rendus plus sages. Notre infériorité n'est-elle pas mise en comparaison dans cette chambre tous les jours? peut-on entendre cela avec calme? agriculture, manufacture, industrie, intelligence, bon goût, etc., en quoi aurions-nous donc un droit d'égalité avec les messieurs du Haut-Canada?

J'avoue qu'en fait de discours parlementaires, si la longueur de leurs déclamations ne devait pas coûter si cher à la province, et que cela dût décider de leur intelligence sur nous, nous serions certainement cent fois leurs inférieurs, nous aurions cent fois moins d'esprit qu'eux; mais en réponse à toutes ces détractations, considérons Québec proscrit depuis 16 ans, quoique sa position dût le rendre, en bonne politique, même en ces temps de malheurs déplorables, l'emporium, la clef des possessions britanniques en Amérique. Il vient de reprendre ses droits comme ville prépondérante, comme centre des vastes provinces qui nous entourent, et j'espère que si l'Angleterre attache quelque importance à la possession continue de ses vastes domaines en Amérique, elle donnera des ordres pour que le siège du gouvernement soit permanent ici, et que la bonne ville de Québec représentera longtemps encore, fidèlement, loyalement et dignement, ce beau joyau de l'empire contre tous les annexionnistes présents et à venir. Je suis surpris que ceux qui ont tout dernièrement prêté ici de nouveau, le serment d'allégeance, aient eu le courage dans l'enceinte de cette chambre même, de soulever cette question; et de vouloir fonder l'avenir, la prospérité de ces belles provinces sur l'annexion. Ce serait mieux entendre notre indépendance, non pas par les armes à la main, mais par des représentations sages et constitutionnelles, de demander à l'Angleterre sa protection contre nos ambitieux voisins, comme elle paraît vouloir le faire au sujet de nos pêches; oui, M. l'orateur, cette indépendance enfin telle que nous l'avons proposée l'honorable représentant d'Essex, que je vois encore avec plaisir occuper un siège dans cette chambre; place qu'il occupe si dignement par ses vastes connaissances et son indépendance intellectuelle; cette indépendance (qui sera tôt ou tard notre lot) serait digne d'un peuple qui sait se respecter, mais qui s'avilirait et disparaîtrait en tombant dans ce grand gouffre de l'union américaine.

Il y a vingt ans, tout ce qui environnait Québec, ne présentait que ronces et épines. Vous ne pouviez faire un pas soit à pied ou en voiture, sans courir le risque de vous disloquer tous les membres. Voit-t-on maintenant de plus beaux chemins ailleurs? Voit-t-on des terres mieux cultivées? voit-t-on des résidences presque princières, soit en Amérique ou dans le Haut-Canada, plus élégantes qu'aux environs de Québec? Eh bien! comment et par qui tout cela a-t-il été fait? non point avec les deniers de la province, mais avec l'argent, fruit de l'intelligence progressive des citoyens de Québec et de ses environs. Poussons la comparaison plus loin, puisque les villes, leurs environs et leurs habitants sont les écoles-modèles des autres habitants de la province. La même prospérité, le même go-ahead [sic], se voit partout, jusque dans nos humbles chaumières. Si ce n'est pas là de la prospérité, que voudrait-t-on y substituer? Comme administrateurs, hommes d'état, juges, avocats, docteurs si vous voulez, en un mot toute l'élite de notre

société a-t-elle de quoi nous faire pâlir devant nos détracteurs.

Néanmoins, je ne puis passer sous silence ce que disait au commencement de cette discussion, le digne membre de Toronto, de cette ville dont je conserve de si agréables souvenirs pour l'hospitalité que j'y ai reçue. L'honorable membre de Toronto a envers nous des sentiments peu propres à réveiller [sic] des sympathies.

Nous ne sommes à ses yeux que des mendiants tandis que la nature des lieux que nous habitons nous offre des trésors inépuisables, si nous avons l'intelligence de les exploiter. En un mot, suivant ce monsieur, il n'aurait trouvé à manger qu'abord de l'Albatros, depuis qu'il est à Québec. Il n'est pas surprenant qu'avec un ventre vide, son cerveau par sympathie se soit irrité et se soit montré plus vide encore de bon raisonnements [sic] sur ce sujet. C'est une conséquence néanmoins toujours d'accord avec la règle invariable du vide, et de plus à celle que la pance est la base de la pensée. Comme l'honorable membre a répudié ses sentiments, il me pardonnera si je ne lui en dis pas davantage. Revenant à ce que j'ai dit antécédemment à ces réflexions, je m'expliquerai maintenant d'une manière plus tangible. Il est bien vrai que l'orateur de la chambre d'assemblée n'a point voix délibérative dans le cabinet, mais sa haute position lui donne une grande influence équivalente à voix consultative. Or, qu'inférer de cet accroissement de force pour le Haut-Canada? Que n'y ayant que trois ou quatre Canadiens-français pour le Bas-Canada dans le cabinet, la balance dans les délibérations du cabinet, (à n'en juger que par les noms et non pas par les raisons) doit être arithmétiquement contre nous, et comme c'est la majorité en tout et partout qui a toujours raison, je laisse à cette chambre à juger si jamais nous aurons le bon billet. Néanmoins, je l'ai dit et je le répète de nouveau, je ne chercherai pas aujourd'hui à nuire au cabinet sur cette différence numérique. Je n'anticiperai pas sur les questions d'un grand intérêt qui seront bientôt agitées devant nous. Ce sera, alors le temps de me montrer favorable ou défavorable à ceux qui sont responsable [sic] du succès ou de la non-passation de ces mesures. Pour le présent je me bornerai à voter en faveur des résolutions. Avant de terminer je dois dire que j'ai entendu avec un grand intérêt l'hon. membre de New-York [sic] nous parler des progrès des usines de fer du Haut-Canada. L'âge de fer ne doit-il pas supplanter l'âge d'or, c'est bien véritablement aujourd'hui l'âge de fer! Nous ne pouvons faire un pas sans marcher ici sur ce précieux métal. La Baie Saint-Paul en offre pour laminer toute l'Amérique.

Puisque le gouvernement paraît vouloir prendre l'initiative et encourager les grandes voies ferrées, me permettrait-il de lui suggérer que le temps est arrivé de contribuer aussi à la formation de forgerons, de forges sur les lieux où le fer est en abondance, sans être obligé d'aller en Angleterre, en Ecosse chercher ce précieux métal en y versant nos capitaux. Ce serait le moyen d'arrêter l'émigration. J'ai vu, l'année dernière, plus de 600 Canadiens-français, servir d'instruments à l'exploitation des mines de fer sur le lac Champlain, à la rivière aux Sables, ce serait le moyen d'induire ces hommes pratiques à revenir en leur pays natal. Ce précieux métal que l'on forme en vases de toutes espèces, pour nous défendre contre nos longs hivers et pour préparer toutes les commodités de la vie, pour ouvrir les entrailles de la terre à d'abondantes récoltes, qui forme en un mot une partie de notre existence, de notre sang même, ce précieux métal se voit et se trouve ici partout et a été apprécié même en Angleterre lors de la grande exposition. Ici on le néglige pour aller en Californie chercher de l'or et la mort. C'est au gouvernement à donner à ce sujet toute son attention et sa protection.⁴⁰

MR. VIGER, in French, stated⁴¹, je me lève, M. l'orateur, pour faire quelques observations sur la partie de l'adresse qui a trait aux réserves de clergé. J'ai déjà eu occasion de voter sur cette question, et je ne dévierai pas cette fois des principes qui ont guidé mes votes sur cette matière à Toronto. Je suis contre la sécularisation des réserves du clergé et je voterai contre le paragraphe de l'adresse qui y a rapport, parce que je ne puis dire que je regrette le refus du

gouvernement anglais de législater [sic] sur cette question. Tout au contraire, je me réjouis du refus du ministère britannique. Je ne veux pas entrer dans le détail des motifs que j'ai longuement déduits lors de mon premier vote sur cette question. Je me bornerai à dire que l'on veut approprier les réserves à l'instruction, mais non à l'instruction religieuse pour laquelle les réserves ont été créées en faveur du clergé protestant.⁴² [In] his opinion ... the House had no right to take the Reserves of Land given to the Protestant Clergy and apply them to any purpose other than religious instruction. At first there was some dispute on these subjects; but at length following the opinion of the officers of the crown that the lands belonged alike to all Protestants they were divided among all the sects; but now the pretensions of the agitators on this subject were pushed much further than before; and it was pretended, because the several sects were constantly multiplying that it would be better to take the whole property and apply it to the general purposes of the government. That was a proposition to which he would never consent⁴³. Pour moi, je ne voterai jamais pour la spoliation des droits acquis: je ne mettrai jamais la main dans la poche de mon voisin pour le voler; et c'est ce que l'on propose de faire par la sécularisation des réserves. Jamais, M. l'orateur, je ne voterai en faveur d'une semblable doctrine.⁴⁴

MR. RIDOUT, after giving his assent to the statements in the address as to the use in the value of Provincial securities, and, so far as he knew, to what related to the census, also acknowledged that Upper Canada was in a tolerably prosperous condition; but he must also tell the House that there was much discontent at the fact that wheat was in Canada 20 per cent below the price in the States. He hoped government would turn its attention to remedy this evil. A partial remedy was expected from the subject referred to in the next paragraph of the speech--the establishment of a line of steamers to Quebec. This proposition, which he looked on as well calculated to lower freights, he should support as far as he could, giving the credit of the scheme to Mr. Merritt, rather than to the present government. Referring to the next paragraph which treats of the increase in the duties received, and the "general prosperity" on the part of the consuming classes, supposed to be indicated by that fact, he said he thought instead of "great prosperity," the proper words would have been "great forbearance". He thought the people of the country, at any rate the mercantile classes, were not satisfied with the tariff; but desired to have it lowered. He remembered the time when the duty on British goods was only $2\frac{1}{2}$ per cent. It was true that since then the differential duties had been resumed, and the duties on the great necessities of life, as tea and sugar, reduced. But this reduction ought to be carried still farther, and joined to a reduction of freights, would, he thought, do the agriculturist much good. He dwelt on this the more, because it was said by the hon. Inspector General that in the United States the average duties were $22\frac{1}{2}$ percent and those in Canada only $13\frac{3}{4}$. He hoped the finance minister did not mean to raise the duties to the level of the United States. Passing to the paragraph relating to the Lunatic Asylum he agreed in all that his colleague had said on the subject, and believed the reference to it in the speech showed the desire of the ministry to rectify anything that was wrong. He hoped to say nothing about the Clergy Reserves which could introduce discord at the present moment; but he took that opportunity of saying he should vote against the resolution relating thereto, and when it came before the House, as it shortly would do, he should regard the settlement of 1842 as a final one, and if that could not be done, should endeavour to have them properly divided among all denominations; but always for religious purposes. He should, therefore, vote for all the resolutions except on that one relating to the Clergy Reserves. Going on to answer observations made in the course of the debate, he concurred in the statement that our imports and exports were increasing; but at the same time the course of trade was undergoing a very material change. At present the imports and exports were increasing by way of the U.S. and decreasing via the St. Lawrence, and this ought to be remedied. One

million of pounds had been spent on the St. Lawrence Canals, and the tolls only amounted to £25,000.--He could not believe it was impossible to make these canals the channels for our carrying trade. He should use his best efforts to do so; believing that this would increase the revenue, at less expense to the community than by customs duties. He agreed with the hon. member for Magantic, in thinking a duty in favour of our wheat in England would be the best thing for this country; but he despaired of ever getting that advantage restored, and for this reason did not hope for any thing from the address of which notice had been given by the hon. member for Lincoln, praying the Imperial Government to levy, on the productions of foreign nations, the same duties which they imposed on British products. He thought the time gone by for such an address to do good; but would not say that he should not vote against it. In the absence of protection in Great Britain and of reciprocity in the United States, it was clear that some new policy should be adopted, which he should call a colonial policy, in order to enhance the price of our products. He could not go, however, to the full extent of the hon. member for the South Riding as to the advantages of the home market, though he did think that would do something in the direction required. Though the policy of the present government was said to be a free trade one, Canada could not carry out that policy, and he thought the country must become a protective one. He did not wish high duties to build up manufactures; but he would adopt a discriminating system. Low duties on necessities of life and raw materials--duties for revenues on British goods--higher duties on American goods till reciprocity were granted. Then an assimilation of duties between the north American and West Indian Colonies, and a sinking fund: (Mr. Ridout was told there was a sinking fund.)--He therefore went on to refer to the hon. member for Kent, who he said accused the Conservative party of being opposed to Responsible Government. Now, however, much some members of the House might have been opposed to responsible government, all were prepared to carry it out, and for himself he had been in favour when his own party had been opposed to it. He thought it the best means by which a popular government could be carried on, in accordance with the will of the people, and the best way to preserve what the whole house desired, the preservation of our connection with Great Britain.⁴⁵

MR. CARTIER.--M. l'orateur, parmi les résolutions qui nous sont proposées comme base de la réponse à faire au discours du trône, celle qui parle de la prospérité de la province a suscité le plus de débats. Cependant s'il y a eu des étrangers présents en chambre en ce moment, je suis bien certain qu'ils auront dit que l'apparence de cette chambre donnait un démenti à cette prétendue pauvreté qu'on nous dit régner en Canada; personne de nous, en effet, n'a l'air de venir d'un pays pauvre. C'est une des raisons qui me fait blâmer les observations du représentant sénior de la cité de Toronto, dont j'ai entendu avec la plus grande satisfaction l'autre représentant qui entretient des idées toutes différentes.

Le membre sénior de Toronto⁴⁶, to prove his argument⁴⁷, est allé choisir le Massachusetts, un des états les plus prospères de l'Union Américaine, pour le comparer à cette province. Il a prétendu nous prouver que le montant et la circulation du capital des banques du Canada n'étaient pas tant s'en faut aussi considérables [*sic*] que dans le Massachusetts. Chose remarquable, l'hon. membre prend pour terme de comparaison avec le Canada l'état le plus florissant des Etats-Unis sous le point de vue commercial. Il est vrai que le montant de notre capital n'est pas aussi élevé que celui du Massachusetts et qu'il n'est pas employé à transiger une aussi grande quantité d'affaires.

Mais l'hon. membre a-t-il oublié par hasard que le Massachusetts renferme la cité de Boston, et que cette cité est le banquier non seulement du Massachusetts, mais d'un grand nombre d'autres états de l'Union? Et, d'ailleurs, si c'est là, selon l'hon. membre, le critérium de la prospérité, il faut avouer alors que les autres états sont dans un état de pauvreté bien déplorable. D'un autre côté, si réellement le capital de banque du Massachusetts est de \$30,000,000, il faut déclarer que l'état de New York est plus pauvre que le Massachusetts, puisqu'il ne

possède en capital de banque que \$50,000,000 et que sa population est beaucoup plus considérable;⁴⁸ which every one knew was not the case.⁴⁹

Le seul mode loyal de juger de la prospérité relative du Canada, c'est, M. l'orateur, de prendre le capital de la banque de tous les Etats-Unis. On aurait vu alors que l'Union ne peut guère se vanter d'être dans une position plus florissante que le [sic] nôtre, puisque par chaque mille habitants le capital de banque y est de \$8,000, ou de \$8 par tête, ce qui est le cas pour le Canada, comme le font voir des calculs exacts.

L'honorable membre pour Toronto nous a encore annoncé que chaque habitant de Massachusetts ne payait pour les frais de son gouvernement qu'une demi piastre. Pourquoi l'honorable membre n'a-t-il pas dit aussi à la chambre que, dans la seule cité de Boston, la dépense du gouvernement municipal est de \$2,000,000? C'est presque autant que la dépense totale de notre gouvernement provincial, et encore la cité de Boston paie sa quote part des frais de l'administration de la justice et des écoles communes.

L'honorable membre n'aurait-il pas pu ajouter et démontrer que le gouvernement républicain des Etats-Unis est réellement plus coûteux que le gouvernement monarchique de l'Angleterre?⁵⁰

MR. BOULTON.--Ecoutez, écoutez.⁵¹

MR. CARTIER.--Oui, plus coûteux que celui de l'Angleterre. Tout le monde ne sait-il pas que la dépense du gouvernement fédéral est de \$ 50,000,000 annuellement? Eh! bien, celle de l'Angleterre est de £50,000,000. Or, retranchez de l'un et de l'autre côté, l'intérêt de la dette nationale, l'entretien des troupes et de la marine, qui doivent être comptés à part, et vous vous trouverez avoir environ \$30,000,000 pour la dépense du gouvernement fédéral des Etats-Unis et une moindre somme pour le gouvernement de la Grande-Bretagne (M. Cartier prouve ici ses avancés par des chiffres).

Mais l'honorable membre fait un avancé bien plus curieux; il nous dit que le Canada ayant, en trois ans, fait pour £4,000,000 d'importations de plus que d'exportations, il est évident que cette colonie est plus pauvre qu'elle n'était de quatre millions.⁵²

MR. BOULTON.--Ce que j'ai dit et voulu dire, c'est que le pays pourra être plus pauvre quand il aura à payer cette différence.⁵³

MR. CARTIER.--Pour lors M. l'orateur, il faut qu'il y ait eu un bien long crédit, et tel ne peut pas être le cas, car l'honorable membre nous a informé que le commerce gagnait les Etats-Unis, et l'on sait que le frère Jonathan exige de prompts paiements. Mais pour éclaircir cette question, il suffit de remarquer que le taux du change n'a pas augmenté à notre préjudice, soit en Angleterre, soit aux Etats-Unis. Or, il ne faut pas se cacher que tout cet argent qui nous vient sous forme de marchandises, d'instruments ou d'outils, crée constamment un immense capital dans la province.

Et pour passer à l'extension du suffrage, je crois, M. l'orateur, que nous devrions remercier S.E., de ce qu'elle suggère de donner droit de vote à tous les occupants de [la] terre. Ce sont en effet là des propriétaires, puisqu'ils ont amélioré la terre sur laquelle ils sont, et qu'ils paieront bientôt. Ils ont intérêt à la chose publique. Mais je ne suis pas de même opinion que certains hon. membres; je ne veux pas du suffrage universel, et voici pourquoi: je crois en effet que, dans un pays démocrate tel que le nôtre, le suffrage universel agirait contre les bases de la société. L'homme dans l'état de société, n'a pas seulement à jouir de ses facultés animales, il lui faut jouir de plaisir de la propriété sur laquelle est fondée la société. Dans notre pays, tout homme qui le veut peut devenir propriétaire. Celui qui est trop paresseux ou trop vicieux pour travailler et acquérir du bien, celui-là n'est pas digne d'avoir le droit de voter. Voyez en France ce qu'a fait le suffrage universel; les français en

jouissent depuis quatre ans. Le résultat en a été de servir les vues ambitieuses de Louis-Napoléon, de le faire monter au fauteuil présidentiel pour dix ans, et de l'acheminer vers le trône impérial. Quant aux Etats-Unis, le suffrage universel, là où il peut régner, n'a pas encore eu tous ses mauvais effets, grâce aux habitants des campagnes qui, étant propriétaires, ont intérêt à défendre et maintenir les bases de la société; et aujourd'hui même, si l'on avait à refaire la constitution des Etats-Unis, il est certain qu'on n'y introduirait pas le suffrage universel.

Une autre mauvaise chose contre laquelle je combattrai jusqu'à la dernière goutte de mon sang, est le scrutin secret. C'est à sa faveur que la corruption a été si affreusement profonde aux Etats-Unis, que l'on a connu des électeurs qui, par le moyen d'entrepreneurs d'élections, avaient dans la même élection vendu leur vote quatre ou cinq fois. L'hon. membre pour les Deux-Montagnes (M. Papineau) a parlé en faveur de ce vote au scrutin, et s'est plaint de la manière dont on le mettait à exécution à Montréal pour les élections municipales.⁵⁴ It was not ... the ballot that prevailed now in Montreal, for there the votes were scrutinized, and every body saw who the elector voted for.⁵⁵ L'honorable membre doit apprendre que la législature n'a pas voulu donner le vote du scrutin dont elle connaissait trop les abus; elle a eu la sagesse d'insérer dans la loi une clause qui impose à chaque voteur l'obligation d'apposer son nom à son bulletin. C'est un moyen d'empêcher la corruption.

On nous a parlé aussi, M. l'orateur, d'un conseil législatif électif. Je déclare franchement que je ne suis pas beaucoup en faveur de ce projet; sans néanmoins lui être beaucoup opposé. Ce que je désire, si l'on nous donne un conseil électif, c'est que ceux qui en feront partie soient tenus à avoir entre autres qualifications celle de la propriété. Quant à ce que nous a dit l'honorable membre des Deux-Montagnes à ce sujet, je diffère d'opinion avec lui au moins sur ce point que je crois illégal, de vouloir faire rappeler ou amender par notre parlement un acte du parlement impérial; et l'hon. membre a beau nous dire que l'hon. secrétaire-provincial (M. Morin) avait fait une pareille proposition dans la chambre du Bas-Canada, cela ne m'empêche pas de la regarder comme illégale. Ce que l'on se propose de faire dans cette enceinte, j'espère, M. l'orateur qu'on le fera constitutionnellement, et non pas comme on a tenté de la [sic] faire dans le parlement du Bas-Canada, alors que l'hon. membre pour les Deux-Montagnes était l'orateur et aurait dû arrêter⁵⁶ the present Provincial Secretary⁵⁷ qui proposait une semblable mesure.

Et pour en venir à l'immense calamité qui a visité la ville où je réside, je ne puis m'empêcher de regretter que, par un malentendu, la corporation de Montréal ait été induite à rejeter l'offre du gouvernement en faveur des malheureux incendiés; et j'aime à croire que le gouvernement est encore disposé à faire du bien à ces infortunés même contre leur volonté. Je vais plus loin, et je leur suggère de considérer s'il ne serait pas à propos de faire revivre pour tout le Canada⁵⁸ [or] at least for L.C.⁵⁹ l'ancienne ordonnance du gouvernement français contre l'érection des bâtisses en bois dans les villes qui auraient plus de 4,000 ou 5,000 habitants. Cette ordonnance est tombée en oubli, mais il est toujours temps de la faire revivre. (Ecoutez, écoutez).

Je ne peux me décider à terminer, M. l'orateur, sans revenir à l'honorable représentant sénior de la cité de Toronto; j'ai commencé par lui, c'est aussi par lui que je veux terminer. L'honorable membre nous a parlé de la liberté des débats, et c'est aussi sur ce point que je veux lui faire une ou deux observations. En effet, pendant que nous, en Canada, nous jouissions de la plus grande liberté des débats, qui va jusqu'à nous permettre la discussion de la question d'annexion à l'union Américaine, le congrès des Etats-Unis refusait de recevoir une seule pétition contre l'esclavage. Je conseille aussi à l'honorable membre de ne pas trop faire parade de ses idées d'annexion, car cela pourrait le rendre inhabile à servir son pays, malgré le goût prononcé qu'il a montré pour les statistiques et qui pourrait plus tard le rendre capable d'être ministre des finances. Les

Etats-Unis, je les admire; mais il est certain qu'ils ne seraient rien sans l'Angleterre, qui achète une si grande portion de leur récolte de coton, et si ce n'est pas une disgrâce pour les Etats-Unis de dépendre d'un aussi petit point du globe que l'Angleterre⁶⁰ which was still politically and commercially the first in the world⁶¹. Ce ne peut être assurément une dégradation pour nous d'être sujet anglais. Enfin, personne plus que moi n'apprécie les Etats-Unis et n'admire leur énergie; je suis Américain, M. l'orateur, mais je ne suis pas annexioniste.⁶²

MR. BOULTON denied that he had said a word in favour of annexation. All that he had said was that without a change to avoid it annexation was inevitable.⁶³

MR. HARTMAN spoke for some time in a low tone of voice, inaudible in the gallery⁶⁴. [He] said, at this late stage of the debate he might be thought presumptuous in saying anything, but he wished to offer a word or two--chiefly in reply to remarks from hon. gentlemen opposite.--Some hon. gentlemen opposite had taunted the ministry, and their supporters, with a want of unanimity, and a want of principle, well defined, upon which to unite in legislating for the good of the country. So far from that being the case, he (Mr. H.) considered, when the whole circumstances of the recent changes in the Administration were taken into account, and the great excitement that had agitated Western Canada in particular, during the elections--an excitement not so much between the Conservatives and Reformers as among Reformers themselves, and that, too, upon principles of the most vital importance--we as Reformers, progressive Reformers, have great reason to congratulate the country upon the almost entire unanimity which now exists. The late ministry was undoubtedly the strongest that ever existed in Canada; they took office on certain principles, long recognized and struggled for by Canadians. And although they accomplished much--very much, to entitle them to the gratitude of the country, they did not go as far and as fast as it was desired they should go. The progression already commenced could not be stayed,--and the pressure from without required a still greater advance. Under these circumstances the present Government was formed professing principles in accordance with the popular demand and promising prompt action. On these professions they went to the country. How were they sustained? What was the voice of the people of Canada with regard to those changes and progressive principles, advocated by leading members of the present Cabinet? He (Mr. H.) was rejoiced to see that on the great leading questions there could scarcely be said to be two opinions among members on this side of the House; even hon. gentlemen opposite seem to have partaken of the spirit of progress, and we hear them strenuously advocating important changes. He (Mr. H.) considered the unanimity of the Reform party in this hon. House as not the only cause of satisfaction to the country; the opposition, although not numerically strong, were rendered still more powerless by the divisions among themselves. They were divided into at least three sections: the one, and he would assign to it the first place,--continuing to adhere to the old Conservative doctrines--they at least are consistent. Another section, influenced, as he had already remarked, by the spirit of the age, declared themselves in favor of liberal measures, such as are required by the country. In this section he (Mr. H.) was happy to enumerate the hon. member from Peterboro, whose remarks on the Clergy Reserves shew distinctly that he desired to see the wishes of the people of Canada,--to [sic] often unmistakably expressed,--carried out. He (Mr. H.) rejoiced to see such an advance made by hon. gentlemen opposite; it shewed they were true friends of the country; and if they continued firm in the exercise of those principles, they would secure for themselves the respect and gratitude of the people of Canada. The third section of the Opposition appeared without any very distinctive marks, he hardly knew by what name to designate them. They profess Annexation tendencies, yet deny that they are Annexationists, and refuse to be called by that name. He knew of no more expressive term by which to designate them than the "Ruin and Decay" party. He was surprised to hear the hon. and learned member for Toronto, (Mr. Boulton) and the hon. member for South York, (Mr. Gamble) express

the views they did with regard to the want of progress and improvement in Canada. Knowing as he (Mr. H.) did, the rapid advancement made in improvements of all kinds, in the section of the country from which those hon. gentlemen came, he could not but be surprised to hear of so much ruin and decay. Such remarks were certainly calculated to give a wrong impression with regard to the true state of our country. He (Mr. H.) was a Canadian, and as such he did not desire that his country should be misrepresented. He would only advert to one proof of the incorrectness of the position assumed by those hon. gentlemen; and it was a proof which must be convincing to every man; he referred to the present very extensive Rail Road agitation in Western Canada. Rail Roads are now in course of construction, or projected in almost every portion of that section of the Province, and ere long, almost every township will have a convenient and speedy outlet for agricultural and forest produce by these numerous lines of Road. This certainly does not look much like ruin and decay. Whilst discussing the Clergy Reserves question, the hon. member for South York asked, very triumphantly, "Where are those gentlemen who formerly occupied seats in this House, and so strongly agitated that question?" He (Mr. H.) would beg to remind that hon. gentleman, what he well knows to be the fact, that those gentlemen did not lose their seats because they desired or advocated the re-opening of that question, but because of the strong doubt in the minds of many, as to their perfect soundness on that and kindred questions.--He (Mr. H.) would also desire to ask that hon. gentleman how far his own success in the recent election was owing to a professedly liberal change in his views on that point? He (Mr. H.) would like to see the hon. member of this House, from Western Canada, who would go to his constituents and tell them he did not think the people of this country qualified to decide that question: that the people of England knew better what we want than we do ourselves.--On this point, he desired to say one word in reply to the hon. member for Montmorency, (Mr. Cauchon) who has charged what he is pleased to term the Clear Grit party with Socialism. He would request that hon. gentleman to study the question a little more closely, and he would find there was no Socialism about it, unless it be Socialism to claim for every man, equal civil and religious rights. If it be Socialism to claim that every man is entitled to, and shall enjoy an equal right, in all the benefits and protection afforded by government, then he believed the hon. member for Montmorenci to be as great a Socialist as any one. Although he (Mr. H.) was willing to admit that the design of the Clergy Reserves grant was a good one, he could not agree to the principle that a government has a right to take the property belonging to the whole public, and appropriate it for the especial benefit of any section of the public, without some sufficient consideration; and he, for one, held that grants of that kind were wrong in principle, and in the present instance, it had been found impracticable to make any satisfactory division among the several religious denominations. There was one other point to which he would allude. The House had been favored during the course of this discussion, with a history of the Reform party--and also of the so called Clear Grit party. The history of the rise and progress of both had been given by the hon. member for Kent. He (Mr. H.) believed there was another professed party in the country, of a more recent date; it was said to have had its origin in a fog, somewhere in the county of Haldimand about the year 1851, (laughter) and is represented very ably in this House by the hon. member for the county of Kent. He (Mr. H.) had said it is professedly a Reform party, yet acting in opposition to the great body of Reformers in this House and in the country. That same party appears to have a great dread of the opposition, and when castigating severely the Reformers being cheered by Conservatives for so doing, it seems to fear the effect of those very cheers and starts back as if their sound was appalling. Such a course could not, in his opinion, be a very consistent one.--It cannot be fair, before the Ministry have had sufficient time to show fully what they intend to do, to attack them in such a manner, and he (Mr. H.) hoped the hon. member for Kent would change his course and prove that he sincerely desired the good of the

country.⁶⁵ He ... warned Mr. Brown that the conduct he was pursuing was calculated only to inspire distrust in those who had sent the ministry to Parliament with an overwhelming majority. That government professed to carry out the principles of the party which they had always professed.⁶⁶ He (Mr. H.) had heard many complaints about the omissions of the Speech, but for his part he thought that had it been much longer, the House would hardly have got through with the reply in time to do anything else. There were some other measures he would have been pleased to see in the Speech,--the Usury Laws required modification; and many important matters, he believed, the government were prepared to engage in, but he thought this House and the country had good reasons to be pleased with what is contained in the Speech and has been promised by Ministers in the course of the debate.⁶⁷

MR. STREET by way of showing his constituents that he had taken his seat would make a few remarks, though he supposed the debate would not make the ministry change their measures, and thought that carried to such a length it became extravagantly expensive. He was exceedingly sorry at the remarks which had been made by some gentlemen with reference to the prosperity of the Province. He knew not by what standard the prosperity of the country was to be judged; but he knew that our Provincial securities had risen in price, and landed estate, bank stock and all other property had also rapidly advanced; and these he took to be great tokens of prosperity. The construction of railways was another indication of the same kind for if there was no business to do why did gentlemen on all sides of the House desire to make these great works? It had been said that the quotations of Canadian debentures had been made at unfair rates; but he did not believe that was the case, and he drew a comparison between the value [of] American debentures and Canadian debentures, in order to show that 15 or 16 p.c. was not a very disproportionate or extravagant premium. He regretted the tone of the speeches which he had heard on the floor of the House, and believed they had done the Province much harm. He did not, however, say, that we might not arrive at a higher pitch of prosperity than at present. Since protection had been withdrawn by England, he believed that it was the true policy of this country to protect its own manufactures so as to create a consuming market for our farmers, in the same manner as in the United States. He generally agreed with the resolutions in answer to the address, but he could not agree with all. With reference to the paragraph relating to Clergy Reserves, he could not agree with that, as he believed that by the settlement of 1840, vested rights had in certain cases been acquired. He was not satisfied with the explanation which had been given by the Inspector General, of the difference between the speech from the throne and the resolutions in reply. If the Governor General really felt that it was to be regretted that the British Government refused to repeal an Act of Parliament with reference to Canada, he (Mr. S.) could see no impropriety in expressing that regret. It was, therefore, that he felt dissatisfied with the explanation of the Inspector General on that point. He read from another paragraph from the speech referring to the Seigniorial tenure recommending the greatest care in dealing with that question as it affected the rights of individuals. He asked why equal care was not recommended in dealing with the Clergy Reserves? Was it, that one course was to be adopted for Upper Canada and another for Lower Canada? (Cries of "hear," and "no.") He concluded by saying that he would not offer a factious opposition to the government but would support all measures which he believed would forward the interests of the country.⁶⁸

MR. AT. GEN. DRUMMOND (en anglais)⁶⁹, censured the discursive manner of debating the address, and revived some of the arguments which had been advanced by the opposition.⁷⁰ "Les orateurs qui m'ont précédé ... ont traité tous les sujets imaginables. Ces discussions qui peuvent avoir de grands avantages lorsqu'elles sont restreintes dans certaines bornes, deviennent inutiles et fastidieuses lorsqu'elles se prolongent sans fin; il serait tems, il me semble, de terminer

ces débats sur l'adress qui ont déjà occupé une si grande partie du tems de la chambre.⁷¹ On the subject of the Clergy Reserves he made some remarks similar in effect to those who [*sic*] had been before urged on the part of the Government. The speech from the throne alluded to many reforms, many more than was usual. Much had been said of the prosperity of Upper Canada, but he had not seen that any member had stood up to assert the same for Lower Canada.⁷² Cependant il est certain que le Bas-Canada est beaucoup plus prospère aujourd'hui qu'il ne l'était il y a dix ans.⁷³ He cited various facts in support of his argument. The agriculturists of Lower Canada were much less indebted now than they were ten years ago, as was proved by the decrease of suits before the courts⁷⁴, du moins dans le district de Montréal.⁷⁵ Small manufactures were springing up in different parts of the country.⁷⁶ La valeur de la propriété foncière va aussi en augmentant. Je connais beaucoup de propriétés dans les townships de l'Est qui ont été payées trente louis il y a cinq ans et se vendent aujourd'hui £130. On a beaucoup parlé du haut prix que reçoivent les ouvriers et les journaliers de l'autre côté de la frontière. Mais n'est-il pas de fait que tous les jours les Américains traversent la ligne pour venir travailler dans les townships, et que les salaires dans cette partie du Bas-Canada sont plus élevés qu'aux Etats-Unis? C'est ce que peuvent affirmer les honorables membres pour Stanstead et Missisquoi.⁷⁷ Le Haut-Canada peut-être est plus avancé que le Bas-Canada, mais⁷⁸ si nous avons quelque cause à envier au Haut-Canada, la chose s'explique facilement; des milliers de louis⁷⁹ qu'on a refusés au Bas-Canada⁸⁰ ont été dépensés dans la province supérieure pour faire des chemins et d'autres améliorations publiques. On a déclaré à plusieurs reprises que le discours du trône ne contient absolument rien d'important; mais, je le demande, le discours n'a-t-il pas touché aux matières les plus importantes dont puissent s'occuper les représentans du peuple? Et n'eût-il fait mention que de la question de la tenure seigneuriale, il eût assurément été loin d'être insignifiant. L'hon. membre pour le comté de Bellechasse a dit qu'il ne donnait son appui à aucune administration qui ne s'engagerait pas à régler cette importante question; je suis d'accord avec lui. Loin de regarder cette déclaration comme une menace, je l'ai entendue avec plaisir, parce qu'elle ne fait que mettre plus de force entre les mains de l'administration. On a dit quelque part que les seigneurs ne devaient pas être dépouillés au profit des censitaires; mais a-t-il jamais été prétendu que les seigneurs ne doivent pas être indemnisés? Croirait-on que le gouvernement voudrait s'engager à présenter aux chambres une mesure qui sanctionnerait une injustice ou un vol?⁸¹ The Government intended to introduce a bill, which he trusted would settle this question. He regretted to hear the hon. member from Montreal join in the ruin and decay cry. He expected better things from him, and he thought he must have forgotten some of his pleasant rides through ... [Missisquoi], where he would not say that great improvements had not taken place within a few years.⁸²

Un hon. membre s'est plaint qu'il ne fût parlé dans le discours du trône d'aucun amendement aux actes de judicature. Mais je suis prêt à répondre qu'il ne serait pas désirable de changer le système actuel; c'est le meilleur que le pays puisse avoir pour le moment, ceci est admis, je crois, par la majorité du barreau.⁸³ Il dit que le gouvernement prépare une mesure pour la subdivision des districts judiciaires et la décentralisation dans l'administration de la justice.⁸⁴ [Mais] avant de créer de nouvelles subdivisions judiciaires, il faudra obtenir divers renseignements statistiques. Les amendemens qui pourraient être faits sans inconvéniens aux actes de judicature actuels serait [*sic*] une augmentation du nombre des termes, et une diminution dans le nombre des séances hebdomadaires.

Je dois maintenant répondre à ce qu'a dit l'hon. membre pour le comté de St. Maurice au sujet des actes d'éducation. J'avoue que le système actuel n'a jamais très-bien fonctionné, mais on peut dire qu'il a fonctionné mieux qu'aucun de ceux qui ont été mis en force avant lui. Ce serait une grande faute pour le gouvernement que de proposer l'abandon de ce principe de la contribution forcée pour les fins de l'éducation des enfans.⁸⁵ He said that he believed the people of Lower

Canada were in favour of that principle of the School act, which compelled taxation for the education of children; it was the only hope of education in Lower Canada⁸⁶ et il est bien déterminé à le maintenir fermement. La législature a passé l'an dernier un acte pourvoyant à la nomination d'inspecteurs chargés d'aider à faire fonctionner les lois d'éducation.⁸⁷ Les inspecteurs d'écoles ont été choisis avec soin par le gouvernement.⁸⁸ Les nominations ont été généralement approuvées et il est probable qu'avec du zèle et de l'activité ils parviendront à applanir beaucoup d'obstacles. On attend de grands avantages de cette dernière loi.

On a déjà parlé à cette chambre de la question relative au conseil législatif; je dois ajouter qu'on soumettra dans le cours de la session, une série de résolutions à ce sujet dans le but de connaître les opinions des membres.⁸⁹ He censured the contemptuous manner in which the Legislative Council had been spoken of in the House⁹⁰ [et dit:] je ne puis m'empêcher de faire remarquer ici qu'on ne devrait parler du conseil législatif actuel qu'avec un profond respect; les membres qui le composent sont pour le moins nos égaux, et ils devraient être exempts de cette animadversion qui prend sa source dans des traditions qu'on devrait pour toujours ensevelir dans l'oubli.⁹¹ With reference to the attacks upon the composition of the ministry he did not think the Inspector General was bound to answer the questions put to him, as the last ministry had not broken up upon any particular principle. He admitted that some feeling had arisen against Messrs. Lafontaine and Baldwin, in consequence of their views upon the Clergy Reserves, but he believed on no other point. But that objection could not exist against the present ministry. The hon. Inspector General had expressed his views with sufficient distinctness; and he (Mr. Drummond) had voted for the resolutions of Mr. Price (when a member of the late government,) upon an open question.--He went on to shew that those resolutions could not have been carried except by Lower Canadian votes, and he read from the journals of the house in support of that view. He also contended that the member for Kent had been inconsistent, and read from some of his former writings which condemned divisions in the reform party so long as the great questions of the Clergy Reserves, Rectories, Reciprocity, &c., were unsettled. He (Mr. D.) asked if those questions were settled yet? Or if division was not as bad now as then?⁹² M. Drummond répondit ... à M. Brown et dans le cours de ses remarques, lui fit sentir l'imprudence de ses attaques contre les croyances religieuses différentes de la sienne. Il prononça de belles paroles sur l'importance de l'union entre tous les réformistes, de la concorde, de la paix entre tous les habitants de cette province.⁹³ He appealed to the hon. member for Kent in the name of the good he had done the reform party in former times, not to use his efforts to divide it now.⁹⁴ L'hon. membre continue son discours en français⁹⁵ et dit⁹⁶: J'ai maintenant ... deux mots à répondre à l'hon. membre pour le comté de Montmorency. Je regrette beaucoup que l'hon. membre ait cherché à créer une fausse impression dans le public relativement à la conduite du gouvernement de cette province dans la question du chemin de fer d'Halifax à Québec⁹⁷. Je comprends tout l'intérêt que les habitants du district de Québec, prennent au chemin de fer d'Halifax et de Québec, et je conçois que l'on peut exploiter cet intérêt avec avantage contre l'administration.⁹⁸ Le savant monsieur, sachant que ce projet est très-populaire dans le district de Québec, a voulu produire du mécontentement chez les habitants de cette partie du pays, en disant ou donnant à entendre que si ce chemin de fer ne se construisait pas, la faute en était due à l'administration provinciale. C'est une insinuation injurieuse, et qui n'est faite que dans le but de faire tort au gouvernement: nous la repoussons de toutes nos forces.

Mais c'est principalement contre un des membres du ministère que l'hon. membre a travaillé avec son talent ordinaire, mais d'une manière insidieuse. Il a voulu faire croire que l'hon. Inspecteur-général, député auprès des autorités impériales, s'était conduit en enfant et que c'est particulièrement à la lettre qu'il écrivit à Lord Derby qu'est dû l'insuccès de la mesure! Assurément, on a lieu d'être étonné d'un pareil allégué⁹⁹ de la part du député de Montmorency qui doit savoir mieux que cela.¹⁰⁰ Ne sait-on pas que trois ou quatre jours avant la publication de la lettre de l'hon. Inspecteur-général, lord Derby avait annoncé à une compagnie de commerce que ce chemin de fer ne se ferait pas?¹⁰¹

Ici MR. CAUCHON se lève et dit qu'il n'avait pas prétendu que l'insuccès de la mesure était dû à la conduite de l'hon. Inspecteur-général, mais qu'il avait dit que¹⁰² l'abandon du premier tracé était la cause de l'insuccès de ce chemin et que M. Hincks avait outrepassé sa mission en disant à l'Angleterre: si vous voulez la ligne tracée par le major Robinson, faites-la vous même.¹⁰³

MR. AT. GEN. DRUMMOND continue: je suis heureux d'avoir enfin arraché cet aveu de la bouche de l'hon. membre: je suis heureux qu'il admette que l'insuccès de la mesure n'est pas dû à la conduite de l'hon. Inspecteur-général. Le public est d'ailleurs depuis longtemps au fait de la question. La négociation n'a échoué que parce que nous tenions à avoir un chemin, qui passât dans l'intérieur des provinces au lieu d'un chemin longeant le rivage. Je le demande à tout homme de bon sens: pouvait-on faire une ligne de chemin de fer jusqu'à Halifax sans l'aide des provinces intérieures? Aurait-on fait un chemin qui se serait arrêté au lac Témiscouata?¹⁰⁴ Je maintiens que l'acte provincial autorisait M. Hincks à faire cette déviation de la ligne du major Robinson, et que le gouvernement n'était pas tenu à suivre cette ligne ou toute autre.¹⁰⁵ On sait qu'il était impossible d'adopter la ligne du major Robinson, parce que le Nouveau Brunswick refuse de concourir à la confection de cette ligne. La province du Nouveau-Brunswick demande un chemin intérieur; nous ne pouvions rien faire, sans un appui. Quant à moi, M. l'orateur, je suis décidément [sic] d'opinion que ce chemin de fer de l'intérieur serait le meilleur pour le pays, et en particulier pour Québec,¹⁰⁶ et l'expérience le prouvera.¹⁰⁷

Mais cette grande entreprise, croit-on qu'elle soit abandonnée pour toujours? Non, je ne le crois pas. Et je dirai plus: ce chemin de fer se fera, et la mesure sera due à la manière dont l'hon. inspecteur-général s'est conduit en Angleterre. La lettre qu'il a écrite à lord Derby a eu l'effet d'appeler l'attention publique sur cette question: elle a remué l'opinion publique, cette masse inerte si difficile à mouvoir, mais qui produit de si grandes choses, lorsqu'elle est une fois en mouvement. Jamais peut-être sans cette lettre, on n'en serait venu à comprendre l'importance de cette mesure¹⁰⁸ [et] je crois qu'elle a été approuvée d'un bout à l'autre du pays (rires ironiques).¹⁰⁹ Pour moi, je le répète, je suis convaincu que ce chemin se fera; les ex-membres en Angleterre lui sont favorables nous avons à ce sujet leurs déclarations formelles; et il pourrait bien se faire que ce serait une des premières mesures qu'ils soumettront aux membres lorsqu'ils reviendront au pouvoir.

La conduite de l'hon. Inspecteur-général a été approuvée en Angleterre; et dans cette province on peut dire qu'elle a été universellement applaudie. L'hon. Inspecteur-général a cependant des adversaires qui ne l'ont pas traité avec la justice qu'il avait droit d'en attendre; ils auraient dû respecter cette indépendance d'un homme qui s'est toujours montré disposé à sacrifier sa popularité, à se sacrifier lui-même pour le bien du pays.¹¹⁰ (Cris de Oh! Oh! Ecoutez, écoutez.)¹¹¹

J'ai maintenant un autre mot à dire à l'hon. membre pour Montmorency: c'est à propos du socialisme. Ce mot ne peut s'adresser qu'à lui seul. Je m'apitoye vraiment sur le sort de l'hon. membre; il est malheureux, il est assiégé de craintes continuelles, le socialisme est pour lui un fantôme qui le poursuit le jour, et le tourmente la nuit comme un cauchemar.¹¹² [Le] député de Montmorency, ... ne voit et ne rêve partout que socialisme et communisme, de même que le représentant de Kent (M. Brown), ne voit partout que Jésuites.¹¹³ Mais l'hon. membre ne devrait-il pas savoir qu'il en est des maladies morales comme des maladies physiques, et que nous n'avons pas plus à craindre du socialisme dans ce pays que nous n'aurions à craindre des ravages de la peste.¹¹⁴ M. Drummond dit que le socialisme n'existe pas dans le ministère; que les clear-grits ne sont pas des socialistes. Et pour le prouver il donne à la chambre sa définition du socialisme.¹¹⁵ Comment peut-on parler sérieusement de socialisme dans un pays où il n'y a pas de pauvres? La condition du peuple est bien différente dans l'ancien-monde: là les riches passent

leur vie dans les jouissances, tandis qu'à côté d'eux gémissent des malheureux qui voudraient manger et ne peuvent trouver de pain.... Là les doctrines des socialistes peuvent produire des résultats désastreux. Mais dans un pays comme celui-ci où tout homme intelligent peut devenir propriétaire, où le travail est si bien rémunéré, où la terre est à si bas prix.... Comment, je le demande, peut-on raisonnablement se laisser aller aux terreurs manifestées par l'hon. membre pour Montmorency?

Mais à quel propos l'hon. membre s'est-il adjoint cet esprit qui le suit partout? à quel propos a-t-il évoqué ce fantôme? A propos de l'entrée, dans le ministère, de l'hon. commissaire des terres de la couronne, et de l'hon. commissaire des statistiques.... Mais qu'ont donc fait ces deux honorables messieurs pour créer tant d'alarmes chez l'hon. membre? L'un d'eux est depuis bien longtemps dans la vie publique; il a toujours appartenu au parti réformiste, et comme tel, a partagé les principes propagés par l'hon. membre pour Montmorency lui-même. Il n'y a pas longtemps qu'ils étaient en apparence les meilleurs amis du monde. L'hon. député pour Montmorency n'a pas craint de se laisser promener par la main dans toute l'étendue du Haut-Canada par ce même ministre aujourd'hui si dangereux.¹¹⁶

MR. CAUCHON: il y a trois ans de cela.¹¹⁷

MR. AT. GEN. DRUMMOND: mon hon. collègue a-t-il jamais rien fait qui puisse le faire regarder aux yeux du pays comme un homme dangereux? Quant à l'hon. commissaire des Terres, j'avoue que je n'avais pas l'avantage quand je suis devenu son collègue de le connaître, ni personnellement, ni même par ses écrits. Mais je n'hésite pas à dire ici que depuis que j'ai eu l'honneur de le connaître, j'entretiens pour lui la plus haute estime; je n'ai jamais entendu de plus beaux sentiments que ceux qu'il m'a été donné d'entendre exprimer à cet hon. monsieur; et je regarde comme souverainement injuste de lui attribuer des doctrines subversives, des principes anti-sociaux. Pourtant je serai toujours prêt à pardonner à l'hon. membre pour Montmorency, car je sais qu'il est tellement obsédé par cet esprit du socialisme qu'il paraît quelquefois succomber, et il laisse échapper des phrases compromettantes pour lui et ne craint pas de dire que si nous laissons des hommes comme l'hon. commissaire des Terres et le membre pour Huron répandre leurs doctrines, "bientôt la propriété deviendra un vol"! (On rit)¹¹⁸.

MR. ROBINSON reviewed the speech of the Attorney General East, and stated that it was not true that hundreds of thousands of pounds had been expended upon roads in Upper Canada, which were not in Lower Canada. It is true that such money might have been expended upon roads in Upper Canada, but that was before the union; and he was surprised that money had not been expended in Lower Canada before the union for roads and bridges, in the same way that it had been in Upper Canada. The hon. member's friends had the power, as they were in the majority for years. He censured the hon. member for the Fourth Riding of York for calling the conservative party the ruin and decay party.¹¹⁹

MR. HARTMAN said he only spoke of a part of the party.¹²⁰

MR. ROBINSON went on to deny that he entertained ruin and decay sentiments. He spoke on several other subjects and said that he would not vote for that paragraph of the resolutions which expressed regret at the decision of the imperial government not to repeal the act on the subject of the Clergy Reserves.¹²¹

MR. LEMIEUX.--On a exprimé dans cette chambre une si grande variété d'opinion pendant le cours de cette discussion, qu'il est difficile d'en venir à une conclusion. Les uns blâment l'adresse parce qu'elle est trop démocrate, les autres, parce qu'elle ne l'est pas assez.¹²² [He] spoke generally in support of the government, and expressed his opinions of the talents of the Inspector General.¹²³ J'ai confiance dans les hommes qui forment l'administration parce que leur passé que je connais m'est une garantie de leurs actes futurs, et nous n'avons rien de mieux à faire que de déclarer que ces hommes sont très circonspects et très dignes de la confiance publique et qu'ils nous procureront la plus grande somme de liberté

possible.

M. Lemieux fait quelques remarques sur le discours de M. Papineau, et réfute la doctrine énoncée par M. Marchildon sur les chemins de fer.¹²⁴ The hon. member proceeded to discuss at length the question of the seigniorial tenure and other topics alluded to in the speech.¹²⁵ Il exprime son mécontentement du paragraphe de l'adresse qui a trait à la tenure seigneuriale, et il dit qu'il ne peut voter pour ce paragraphe qui semble vouloir laisser subsister tous les abus dont on se plaint, parce qu'ils ont été sanctionnés par les tribunaux judiciaires. M. Lemieux croit que le conseil législatif actuel est ce qu'il y a de mieux; cependant il n'est pas opposé à ce qu'on le rende électif. Il dit que la somme de £30,000 pour les fins de la colonisation divisée entre le Bas et le Haut-Canada n'est pas suffisante, et qu'il faut une plus forte somme si l'on veut vraiment faire quelque chose en faveur de la colonisation.¹²⁶

MR. INSP. GEN. HINCKS in reply to the attacks which had been made upon him during the debate, stated, that he called upon the Commissioner of Crown Lands, because he possessed considerable influence in Upper Canada. He denied that he had ever made any proposition to the Speaker which was derogatory to him. The office which was offered him could not be so regarded. He (Mr. H.) had ever had the highest idea of the hon. Speaker; but the hon. gentleman had declined to accept any office not in his profession. With respect to the hon. member for Haldimand, he said that he had not denied that he possessed some influence in the country, and went on to explain what he had previously said with respect to the Oxford election. He did not think it was necessary to present the question in this form at all to the British Parliament. It was one that the Canadian Legislature should legislate upon; and a strong address asking for power to legislate was the best to send to England. He censured the contemptuous attacks which had been made upon the Legislative Council, and stated, that he did not think the proposition to make that body elective, was in such a position as to justify any ministry in urging it through as a ministerial measure. He complained that he had been most unjustly attacked by the members for Montmorency and Kent, with respect to the Halifax Railway. New Br[unswick] positively refused to have anything to do with the Northern line; and the Act passed by the Canadian Parliament made no objection to the Southern one, and in the circumstances, the Government was justified in adopting it. He had never blamed Earl Derby, nor Sir John Pakington for the course they had pursued with regard to the Railway. He had merely done what he conceived to be for the best interests of the country. True he had been accused and no doubt would continue to be accused of having acted petulantly in the railway matter while in England, but he nevertheless was satisfied that he had acted conscientiously. He alluded to the Jackson negociation; to the letter that had appeared in the Montreal Herald; asserted that Messrs. Jackson & Co. were prepared to make the trunk road on more favourable terms than any Company in the Province could do, and said he felt persuaded that Mr. Jackson having been driven from the province, the trunk lines could not possibly be constructed in less time than four or five years. He then went on to explain certain difficulties in relation to the unity of the reform party, to the intention of establishing a newspaper to the abandonment of that design and to the still existing differences of opinion, which must always exist between the leading members of any great party. The Attorney General East was under a misapprehension with regard to his late colleagues in the matter of the Clergy Reserves. Mr. Lafontaine voted against Mr. Baldwin in the matter of the Clergy Reserves. Mr. Baldwin said that he would abandon his own views with regard to the Clergy Reserves as he never desired one shilling for his own church. But Mr. Lafontaine had, it was true, strong views on this question and he considered that the protestant Clergy had a vested interest in the Clergy Reserves which Mr. Baldwin did not consider.¹²⁷

MR. STUART though the hour was late could not give his vote without expressing his views upon the subject. No Government had ever come before the country with measures of more importance. If they carry this address they will carry more than any Government has ever yet carried. He was not inclined to say a word or to vote against the Government in the matter, but circumstances had arisen which rendered that course necessary. Taking the opinions on both sides of the house, he was inclined to believe that Canada was prospering. Were the Government to adopt right measures he was sure Lower Canada would be as progressive as any one could wish. The Clergy Reserves occupied a great share of the attention of the country. He thought the House had a right to ask the Imperial Parliament for leave to legislate upon that question. The Clergy Reserves property amounted to a very large sum and he believed the executive Council intended to dispose of fully the half of that amount arbitrarily. He had his own opinion as to the propriety of secularizing these reserves and would take at the proper time the opportunity of expressing them. The elective system in Lower Canada was defective and he would endeavour to force upon the attention of Government some system calculated to effect a ... [change]. He referred to the late elections in Montreal and Quebec and spoke of the Assessment system for ascertaining votes. He had expressed his intention of supporting the Government in every measure calculated to advance the interests of the Country generally. He came to Parliament quite ... [unfettered] and determined to act independently. He alluded to the railroad. The Railway Committee ought to be called upon by the Government to state whether there are grounds or not, for the stand taken by certain gentlemen in Montreal. He had heard that three or four days before the Government proclamation was issued four gentlemen of Montreal had taken up all the stock in the Montreal and Kingston Railroad. He intended to vote according as his conscience dictated on the several resolutions in the address.¹²⁸

Cries of Question.¹²⁹

(55)

Ordered, That the Question be put upon each paragraph of the said Motion.

The address in reply to the speech was then read paragraph by paragraph.¹³⁰

And the said motion being again read, and the question being put thereon, paragraph by paragraph, the first to the eleventh paragraphs were agreed to unanimously.¹³¹

The eleventh paragraph (on the subject of the Clergy Reserves,) being again read, the House divided thereon¹³².

(55)

And the first ten paragraphs being again read, were agreed to.

The eleventh paragraph being again read; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Lacoste, Langton, LaTerrière,

(56)

Laurin, Lemieux, McDonald of CORNWALL, Marchildon, Mattice, McLachlin, Mongenais, Morin, Paige, Patrick, Polette, Price, Attorney General Richards, Rolph, Rose, Sanborn, Sicotte, Stuart, Taché, Tessier, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(47.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Shaw, Smith of FRONTENAC, Stevenson, Street, Viger, and Wright of West Riding of YORK.--(16.)

So it was resolved in the Affirmative.

The twelfth to the seventeenth paragraphs were agreed to unanimously.¹³³

The seventeenth paragraph ... (relative to the Feudal Tenure) [was again read.]¹³⁴

The twelfth to the seventeenth paragraphs being again read, were agreed to.

The seventeenth paragraph being again read, as followeth:--That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province;

Mr. Lemieux moved in amendment thereto, seconded by Mr. Lacoste, That all the words after "scrupulous regard for" be left out, and the words "the just rights of all parties interested" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Chapais, Dubord, Fortier, Fournier, Gamble, Lacoste, LeBoutillier, Lemieux, Macdonald of KINGSTON, Malloch, Marchildon, Mongenais, Robinson, Smith of FRONTENAC, Street, Valois, and Varin.--(19.)

NAYS.

Messieurs Brown, Burnham, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Gouin, Hartman, Hincks, Langton, LaTerrière, Laurin, McDonald of CORNWALL, Mattice, McDougall, McLachlin, Morin, Paige, Patrick, Polette, Prince, Attorney General Richards, Ridout, Rolph, Rose, Sanborn, Shaw, Sicotte, Stevenson, Stuart, Taché, Tessier, Turcotte, Viger, White, Wright of East Riding of YORK, Wright of West Riding of YORK, and Young.--(44.)

So it passed in the negative.

The seventeenth paragraph was then agreed to.

The seventeenth and remaining paragraphs were then agreed to unanimously.¹³⁵

(56)

Then the subsequent paragraphs being again read, were agreed to.

Resolved, That an humble Address be presented to His Excellency the Governor General, to thank His Excellency for his gracious Speech from the Throne at the opening of the present Provincial Parliament:

To assure His Excellency that this House will cordially unite its endeavors with those of His Excellency for the promotion of the interests of the Province:

That this House learns with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquility has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament:

That this House rejoices that His Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and is gratified to learn that Provincial Securities continue to rise steadily in value, and that the Returns of the Census recently completed furnish most satisfactory evidence of the advancement of the Colony in wealth and population:

That this House is glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure:

That this House, however, is greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and it will bestow its best consideration on any measure that may be proposed to it for the purpose of mitigating its effects:

(57)

That the importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, this House will attentively consider any measure for promoting the accomplishment of these objects:

That this House will give its best consideration to such documents as may be laid before it by order of His Excellency, to put it in possession of the steps which His Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces:

That in connection with these works, and with the subject of public improvements generally, this House will attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to holders of such Bonds under the Municipal Act now in force in the part of the Province, is of a very ample and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market:

That the importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of His Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, this House will carefully consider any plan which may be submitted to it for the attainment of the object in view:

That while this House deeply regrets to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, it will give its best consideration to the Despatch which His Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Majesty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course:

That this House learns with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province:

That they will give their best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before them, and that his Excellency may rely on their readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service:

(58)

That this House will give its best consideration to the various subjects referred to by His Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its increasing population and the rapid development of some of its more recently settled districts:

That this House will consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, it may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province, and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage its attention:

That this House concurs in opinion with His Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and this House will bestow its best consideration on any unobjectionable measures that may be suggested for remedying such defect, and for effecting the more speedy settlement of unoccupied lands in both sections of the Province:

That the grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada, will engage the attention of this House; and in dealing with this subject, which is one of great delicacy, they will manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province:

That this House regrets to learn from His Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, they will readily bestow their best attention on any measure that may be submitted to them for the remedy of the evil:

That this House is fully assured of the gracious co-operation of His Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and will engage in its important duties with an humble hope that the Almighty will render its endeavors efficacious for the public good:

On motion of MR. INSP. GEN. HINCKS, the Resolution was then referred to a Select Committee, to prepare and report the draught of an Address in conformity thereto.¹³⁶

(58)

Resolved, That the said Resolution be referred to a Select Committee, composed of the Honorable Mr. Hincks, Mr. Sicotte, Mr. Christie of Wentworth, Mr. Cartier, and Mr. Rose, to prepare and report the draught of an Address in answer to the Speech of His Excellency the Governor General to both Houses of the Legislature, in conformity to the said Resolution.

The Honorable Mr. Hincks reported from the Select Committee appointed to draw up an Address to His Excellency the Governor General, that they had drawn up an Address accordingly; and the same was read, as followeth:--

To His Excellency the Right Honorable James, Earl of Elgin and Kincardine, Knight of the Most Ancient and Most Noble Order of the Thistle, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, &c., &c., &c.

(59)

May it please Your Excellency,

We, Her Majesty's dutiful and loyal Subjects, the Commons of Canada in Parliament assembled, humbly beg leave to thank Your Excellency for Your gracious Speech from the Throne at the opening of the present Provincial Parliament.

We assure Your Excellency that we shall cordially unite our endeavors with those of Your Excellency for the promotion of the interests of the Province.

We learn with much satisfaction that notwithstanding the deep interest occasioned by a General Election, the utmost tranquility has prevailed throughout the Province during the period which has elapsed since the close of the last Session of Parliament.

We rejoice that Your Excellency has been enabled under these favorable circumstances again to congratulate Parliament on the prosperity of the Province, and are gratified to learn, that Provincial Securities continue to rise steadily in value, and that the Returns of the Census, recently completed, furnish most satisfactory evidence of the advancement of the Colony in wealth and population.

We are glad to learn that the estimated deficiency in the Postal Revenue has not been exceeded, although greatly extended accommodation has been afforded to the public by the establishment of additional Post Offices, and increased postal service, and that there is reason to believe that before long the receipts of the Department will balance the expenditure.

We are, however, greatly concerned to learn that a heavy calamity has befallen the Province in the destruction by Fire of a large portion of the important City of Montreal, and we shall bestow our best consideration on any measure that may be proposed to us for the purpose of mitigating its effects.

The importance of placing the Currency of British North America on a uniform basis, and of introducing the Decimal system, having been frequently recognized by Parliament, we shall attentively consider any measure for promoting the accomplishment of these objects.

We shall give our best consideration to such documents as may be laid before us by order of Your Excellency, to put us in possession of the steps which Your Excellency has taken during the Recess, with the view of giving effect to the intentions of the Legislature embodied in the Acts passed last Session for promoting the construction of Railways, and which steps have, so far as circumstances permitted, been taken in concert with the Lieutenant Governors of the Lower Provinces.

In connection with these works, and with the subject of public improvements generally, we shall attentively consider the position of Bonds issued on the credit of Municipalities in Upper Canada; and though the security afforded to the holders of such Bonds under the Municipal Act now in force in that part of the Province, is of a very amply and satisfactory description, yet it is probable that measures may be devised, which, without materially altering their character, may tend to enhance their value in the market.

The importance of establishing direct Steam communication between Great Britain and the Ports of Quebec and Montreal, having engaged the anxious attention of Your Excellency during the Recess, and the subject having been repeatedly pressed on the Government by persons interested in the Commerce of the Province, and having a material bearing on the prospects of Immigration, and the reduction of freights on the St. Lawrence, we shall carefully consider any plan which may be submitted to us for the attainment of the object in view.

While we deeply regret to learn that Her Majesty's Ministers have refrained from introducing a measure into the Imperial Parliament during its last Session, for the repeal of the Imperial Statute on the subject of the Clergy Reserves, we shall give our best consideration to the Despatch which Your Excellency has received from the Principal Secretary of State for the Colonies, communicating the views of Her Maj-

(60)

esty's Imperial Government in reference thereto, and stating the grounds on which Her Majesty's Ministers have adopted such a course.

We learn with much satisfaction that the condition of the Revenue is satisfactory, and such as to indicate general prosperity among the consuming population of the Province.

We shall give our best attention to the Accounts of the Revenue and Expenditure of the Province, and to the Estimates of the year, when laid before us, and Your Excellency may rely on our readiness to grant such Supplies as may be necessary for the maintenance of the credit of the Province and the efficiency of the Public Service.

We shall give our best consideration to the various subjects referred to by Your Excellency as being of much importance to the interests of the Province, among which is an addition to the Representation, which seems to be called for by its

increasing population and the rapid development of some of its more recently settled districts.

We shall consider whether through the instrumentality of the Municipal system now in full operation in Upper Canada, and of the Assessment Law, we may be enabled to devise an efficient and inexpensive mode of registering Parliamentary Electors in that part of the Province; and in connection with this subject, the claims of certain classes of occupiers now excluded from the franchise, on whom, there is reason to believe, it may be conferred with advantage to the public interests, will engage our attention.

We concur in opinion with Your Excellency that the interests of Agriculture are entitled to the special care and attention of Government in this Country, where so large a portion of the community is employed in Agricultural pursuits, and that it has long been a subject of complaint that no sufficient provision exists for obtaining correct statistical information respecting the productions of the Country, and for diffusing knowledge which may be serviceable both to those engaged in Agriculture and to persons proposing to become settlers, and we shall bestow our best consideration on any unobjectionable measures that may be suggested for remedying such defect and for effecting the more speedy settlement of unoccupied lands in both sections of the Province.

The grievances which are alleged to exist under the Feudal Tenure that obtains in certain parts of Lower Canada will engage our attention; and in dealing with this subject, which is one of great delicacy, we shall manifest a scrupulous regard for rights of property which have been acquired and exercised in good faith, and with the sanction tacit or declared of the legal tribunals of the Province.

We regret to learn from Your Excellency that the arrangements now in force in both sections of the Province for the maintenance of indigent Patients consigned to the Lunatic Asylum, appear to be in some respects defective, and being of opinion that the care of these unfortunate persons involves considerations of humanity of the highest order, we shall readily bestow our best attention on any measure that may be submitted to us for the remedy of the evil.

We are fully assured of the gracious co-operation of Your Excellency in all measures which may be adopted for the promotion of the interests of the Province, and for the happiness and contentment of the People, and shall engage in our important duties with an humble hope that the Almighty will render our endeavors efficacious for the public good.

The said Address being read a second time, was agreed to.

Ordered, That the said Address be engrossed.

Ordered, That the said Address be presented to His Excellency the Governor General by the whole House.

Ordered, That such Members of this House as are of the Honorable the Executive Council of this Province do wait upon His Excellency the Governor General to know

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His Excellency's pleasure when he will be attended by this House with its Address.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, rose in his place, and acquainted Mr. Speaker and the House, that His Excellency the Governor General will receive the House with its Address in answer to His Excellency's Speech at the opening of the present Session, To-morrow, at three o'clock, P.M., at the Government House.

On motion of MR. D. CHRISTIE of Wentworth, the remaining Orders of the Day were postponed till to-morrow¹³⁷.

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Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Smith of Wentworth [sic],

The House adjourned.¹³⁸

APPENDIX: 30 AUGUST 1852.

[NOTICE OF MOTION RE: ABOLITION OF PRIMOGENITURE.]¹³⁹

MR. TERRILL moved for leave to introduce a bill to provide for the abolition of the right of primogeniture in the succession to real estate held in Free and Common soccage in Lower Canada.¹⁴⁰

[NOTICE OF MOTION RE: ASSESSMENT OF REAL AND PERSONAL PROPERTY IN LOWER CANADA.]¹⁴¹

MR. TERRILL also [moved for leave] to introduce a bill to provide for the rating of municipal and school assessments [sic] equally upon all moveable property, moneys, and other estate, personal, as well as upon immoveable property, as theretofore provided in Lower Canada.¹⁴²

[NOTICE OF MOTION RE: USURY LAWS.]¹⁴³

MR. G. WRIGHT (West riding of York) moved for leave to introduce a bill to alter and amend the Usury Laws of this Province.¹⁴⁴

[NOTICE OF MOTION RE: BILL TO RESTRAIN INTERFERENCE IN ELECTIONS.]¹⁴⁵

COL. PRINCE ... [gave notice of] a Bill to restrain any Priest or other Minister of religion from interfering in elections.¹⁴⁶

FOOTNOTES: 30 AUGUST 1852.

1. The following papers reported this matter in identical accounts: JOURNAL DE QUEBEC, 2 September 1852, and LE PAYS, 6 September 1852.
2. JOURNAL DE QUEBEC, 2 September 1852.
3. IBID.
4. The following papers reported the debate on this matter in identical accounts: JOURNAL DE QUEBEC, 4 September 1852, and LE PAYS, 10 September 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 31 August, 1 September 1852, QUEBEC GAZETTE, 1 September 1852, PILOT, 2, 3 September 1852, MONTREAL GAZETTE, 2, 3 September 1852, HAMILTON SPECTATOR DAILY, 4, 6 September 1852 (which copied from MORNING CHRONICLE), BRITISH COLONIST, 7 September 1852 (which misdated its account as 30 July 1852), GLOBE, 7 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, BRITISH WHIG, 9, 10 September 1852 (which misdated its account as 13 August 1852), NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, NORTH AMERICAN, 16 September 1852, and OTTAWA CITIZEN, 18 September 1852 (which copied from LEADER, of unknown date); HAMILTON SPECTATOR DAILY, 31 August 1852, MONTREAL GAZETTE, 31 August 1852, PILOT, 31 August 1852, NORTH AMERICAN, 2 September 1852, BATHURST COURIER, 3 September 1852, OTTAWA CITIZEN, 4 September 1852, and HAMILTON GAZETTE, 6 September 1852; JOURNAL DE QUEBEC, 2 September 1852, LA MINERVE, 4, 7 September 1852, and LE PAYS, 8 September 1852 (which copied from JOURNAL DE QUEBEC and LE CANADIEN, of unknown date). The debate was also reported by LA MINERVE, 7 September 1852, in a separate account. The following papers noted the debate in identical accounts: PILOT, 1 September 1852, MONTREAL GAZETTE, 1 September 1852, HAMILTON SPECTATOR DAILY, 1 September 1852, HAMILTON SPECTATOR WEEKLY, 2 September 1852, HAMILTON GAZETTE, 2 September 1852, BRITISH COLONIST, 3 September 1852, NIAGARA MAIL, 8 September 1852, and BATHURST COURIER, 10 September 1852. The debate was also noted by: QUEBEC GAZETTE, 30 August 1852; LA MINERVE, 2 September 1852; and LE PAYS, 6 September 1852. Commentaries appeared in: EXAMINER, 8 September 1852; HAMILTON SPECTATOR DAILY, 9 September 1852; OTTAWA CITIZEN, 18 September 1852 (in a separate account which was copied from LEADER, of unknown date); and L'AVENIR, 8 September 1852.
5. JOURNAL DE QUEBEC, 2 September 1852.
6. MORNING CHRONICLE, 31 August 1852.
7. JOURNAL DE QUEBEC, 2 September 1852.
8. MORNING CHRONICLE, 31 August 1852.
9. JOURNAL DE QUEBEC, 2 September 1852.
10. MORNING CHRONICLE, 31 August 1852.
11. JOURNAL DE QUEBEC, 2 September 1852.
12. MORNING CHRONICLE, 31 August 1852.
13. JOURNAL DE QUEBEC, 2 September 1852.
14. MORNING CHRONICLE, 31 August 1852.
15. IBID.
16. JOURNAL DE QUEBEC, 2 September 1852.
17. MORNING CHRONICLE, 31 August 1852.
18. LA MINERVE, 4 September 1852.
19. JOURNAL DE QUEBEC, 2 September 1852.
20. LA MINERVE, 4 September 1852.
21. MORNING CHRONICLE, 31 August 1852.
22. LA MINERVE, 4 September 1852.
23. JOURNAL DE QUEBEC, 2 September 1852.
24. MORNING CHRONICLE, 31 August 1852.
25. LA MINERVE, 4 September 1852.
26. JOURNAL DE QUEBEC, 2 September 1852.

27. LA MINERVE, 4 September 1852.
28. JOURNAL DE QUEBEC, 2 September 1852.
29. LA MINERVE, 4 September 1852. Ellipsis represents illegible words.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID.
36. IBID.
37. IBID.
38. MORNING CHRONICLE, 31 August 1852.
39. JOURNAL DE QUEBEC, 2 September 1852.
40. IBID.
41. MORNING CHRONICLE, 31 August 1852.
42. JOURNAL DE QUEBEC, 2 September 1852.
43. MORNING CHRONICLE, 31 August 1852.
44. JOURNAL DE QUEBEC, 2 September 1852.
45. MORNING CHRONICLE, 31 August 1852.
46. JOURNAL DE QUEBEC, 2 September 1852.
47. MORNING CHRONICLE, 31 August 1852.
48. JOURNAL DE QUEBEC, 2 September 1852.
49. MORNING CHRONICLE, 31 August 1852.
50. JOURNAL DE QUEBEC, 2 September 1852.
51. IBID.
52. IBID. The following papers misinterpreted Cartier's remarks on this subject, reporting in identical accounts that he endeavored to "show that the Republican Government of the United States was really cheaper than the monarchical government of England:" MORNING CHRONICLE, 31 August 1852, QUEBEC GAZETTE, 1 September 1852, PILOT, 2 September 1852, MONTREAL GAZETTE, 2 September 1852, HAMILTON SPECTATOR DAILY, 4 September 1852, BRITISH COLONIST, 7 September 1852, BRITISH WHIG, 9 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NIAGARA MAIL, 15 September 1852, and OTTAWA CITIZEN, 18 September 1852.
53. JOURNAL DE QUEBEC, 2 September 1852.
54. IBID.
55. MORNING CHRONICLE, 31 August 1852.
56. JOURNAL DE QUEBEC, 2 September 1852.
57. MORNING CHRONICLE, 31 August 1852.
58. JOURNAL DE QUEBEC, 2 September 1852.
59. MORNING CHRONICLE, 31 August 1852.
60. JOURNAL DE QUEBEC, 2 September 1852.
61. MORNING CHRONICLE, 31 August 1852.
62. JOURNAL DE QUEBEC, 2 September 1852.
63. MORNING CHRONICLE, 31 August 1852.
64. IBID.
65. NORTH AMERICAN SEMI-WEEKLY, 10 September 1852.
66. MORNING CHRONICLE, 31 August 1852.
67. NORTH AMERICAN SEMI-WEEKLY, 10 September 1852.
68. MORNING CHRONICLE, 31 August 1852.
69. JOURNAL DE QUEBEC, 4 September 1852.
70. MORNING CHRONICLE, 1 September 1852.
71. LA MINERVE, 7 September 1852.
72. MORNING CHRONICLE, 1 September 1852.
73. LA MINERVE, 7 September 1852.
74. MORNING CHRONICLE, 1 September 1852.

75. LA MINERVE, 7 September 1852.
76. MORNING CHRONICLE, 1 September 1852.
77. LA MINERVE, 7 September 1852.
78. JOURNAL DE QUEBEC, 4 September 1852.
79. LA MINERVE, 7 September 1852.
80. JOURNAL DE QUEBEC, 4 September 1852.
81. LA MINERVE, 7 September 1852.
82. MORNING CHRONICLE, 1 September 1852.
83. LA MINERVE, 7 September 1852.
84. JOURNAL DE QUEBEC, 4 September 1852.
85. LA MINERVE, 7 September 1852.
86. MORNING CHRONICLE, 1 September 1852.
87. LA MINERVE, 7 September 1852.
88. JOURNAL DE QUEBEC, 4 September 1852.
89. LA MINERVE, 7 September 1852.
90. MORNING CHRONICLE, 1 September 1852.
91. LA MINERVE, 7 September 1852.
92. MORNING CHRONICLE, 1 September 1852.
93. LA MINERVE, 7 September 1852, which added: "Les sentimens exprimés par l'hon. procureur-général venaient évidemment du coeur, et produisirent une vive sensation dans l'auditoire."
94. MORNING CHRONICLE, 1 September 1852.
95. LA MINERVE, 7 September 1852, commented: "En traitant les sujets qui précèdent, M. Drummond s'exprima en anglais, mais il demanda la permission de continuer son discours dans la langue française, ce qu'il fit avec la même facilité. Vos lecteurs savent déjà sans doute que l'hon. procureur-général est aussi éloquent dans l'une que dans l'autre langue. C'est un avantage que possèdent un bien petit nombre d'hommes publics dans ce pays."
96. JOURNAL DE QUEBEC, 4 September 1852.
97. LA MINERVE, 7 September 1852.
98. JOURNAL DE QUEBEC, 4 September 1852.
99. LA MINERVE, 7 September 1852.
100. JOURNAL DE QUEBEC, 4 September 1852.
101. LA MINERVE, 7 September 1852.
102. IBID.
103. JOURNAL DE QUEBEC, 4 September 1852.
104. LA MINERVE, 7 September 1852.
105. JOURNAL DE QUEBEC, 4 September 1852.
106. LA MINERVE, 7 September 1852.
107. JOURNAL DE QUEBEC, 4 September 1852.
108. LA MINERVE, 7 September 1852.
109. JOURNAL DE QUEBEC, 4 September 1852.
110. LA MINERVE, 7 September 1852.
111. JOURNAL DE QUEBEC, 4 September 1852.
112. LA MINERVE, 7 September 1852.
113. JOURNAL DE QUEBEC, 4 September 1852.
114. LA MINERVE, 7 September 1852.
115. JOURNAL DE QUEBEC, 4 September 1852.
116. LA MINERVE, 7 September 1852.
117. IBID.
118. IBID.
119. MORNING CHRONICLE, 1 September 1852.
120. IBID.
121. IBID.
122. JOURNAL DE QUEBEC, 4 September 1852.
123. MORNING CHRONICLE, 1 September 1852.
124. JOURNAL DE QUEBEC, 4 September 1852.

125. MORNING CHRONICLE, 1 September 1852.
126. JOURNAL DE QUEBEC, 4 September 1852.
127. MORNING CHRONICLE, 1 September 1852.
128. IBID.
129. IBID.
130. IBID.
131. IBID.
132. IBID.
133. IBID.
134. IBID.
135. IBID.
136. IBID.
137. IBID.
138. LA MINERVE, 2 September 1852, noted that "la chambre s'est ajournée ... à deux heures [après minuit]."
139. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 31 August 1852, QUEBEC GAZETTE, 1 September 1852, PILOT, 2 September 1852, MONTREAL GAZETTE, 2 September 1852, HAMILTON SPECTATOR DAILY, 4 September 1852, BRITISH COLONIST, 7 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, and NORTH AMERICAN, 16 September 1852. The notice was also reported by QUEBEC GAZETTE, 30 August 1852.
140. MORNING CHRONICLE, 31 August 1852.
141. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 31 August 1852, QUEBEC GAZETTE, 1 September 1852, PILOT, 2 September 1852, MONTREAL GAZETTE, 2 September 1852, HAMILTON SPECTATOR DAILY, 4 September 1852, BRITISH COLONIST, 7 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, and NORTH AMERICAN, 16 September 1852.
142. MORNING CHRONICLE, 31 August 1852.
143. The following papers reported this notice of motion in identical accounts: MORNING CHRONICLE, 31 August 1852, QUEBEC GAZETTE, 1 September 1852, PILOT, 2 September 1852, MONTREAL GAZETTE, 2 September 1852, HAMILTON SPECTATOR DAILY, 4 September 1852, BRITISH COLONIST, 7 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, and NORTH AMERICAN, 16 September 1852. The notice was also reported by QUEBEC GAZETTE, 30 August 1852.
144. MORNING CHRONICLE, 31 August 1852.
145. The following papers reported this notice of motion in identical accounts: PILOT, 31 August 1852, BRITISH COLONIST, 31 August 1852, MONTREAL GAZETTE, 31 August 1852, HAMILTON SPECTATOR, 31 August 1852, NORTH AMERICAN, 2 September 1852, BATHURST COURIER, 3 September 1852, OTTAWA CITIZEN, 4 September 1852, and HAMILTON GAZETTE, 6 September 1852.
146. PILOT, 31 August 1852.

TUESDAY, 31 AUGUST 1852.

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AT the hour appointed, Mr. Speaker and the House attended upon His Excellency the Governor General, with the Address of the House.

And being returned;

Mr. Speaker reported, That the House had attended upon His Excellency with their Address in answer to the Speech of His Excellency to both Houses of the Legislature, to which His Excellency was pleased to make the following Answer:--

Gentlemen of the Legislative Assembly,

I thank you cordially for your Address and for the assurances of support which it contains, and I confidently rely on your assistance in my endeavors to promote the interest of the Province.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Egan,--The Petition of Colonel Gordon Higgins of the Royal Artillery, President of the Canada Military Asylum and others, members of the acting Committee thereof; and the Petition of Alexander Wilson and others, of the Township of Onslow.

By the Honorable Mr. Robinson,--The Petition of the Municipality of the Township of Orillia; the Petition of the Municipality of the Township of Mono; two Petitions of Charles C. Small, of the City of Toronto, Esquire; and the Petition of Thomas P. Cooper and others, of the Township of St. Vincent.

By Mr. Burnham,--The Petition of Robert M. Boucher and others, of the Townships of Cramahé and Haldimand, County of Northumberland.

By Mr. Christie of Wentworth,--The Petition of the Provisional Municipal Council of the County of Brant and of the United Counties of Wentworth, Halton, and Brant; the Petition of Alexander Brander and others, of the Township of Ancaster, County of Wentworth; the Petition of Henry Lemmon and others, of the Town of Brantford; the Petition of A. Huntington, Esquire, Mayor, and others, of the Town of Brantford; the Petition of A. Kirkland, President, on behalf of the Mechanics' Institute of Brantford; the Petition of Margaret Henderson and others, daughters of Temperance, and others, of the Township of Ancaster, County of Wentworth; the Petition of the President and Directors of the Grand River Navigation Company; and the Petition of John Mackenzie and others, of Glenmorris and vicinity.

By Mr. Mongenais,--The Petition of Cyprien Sauvé and others, Censitaires, of

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the Parish of Vaudreuil, County of Vaudreuil; and the Petition of Garmino Poirier and others, Censitaires of the Seigniorship of Rigaud.

By Mr. Polette,--The Petition of V. Guillet, Esquire, and others, of the Parish and Town of Three Rivers.

By Mr. Rose,--The Petition of Jacob J. Merkley and others, of the County of Dundas.

By the Honorable Mr. Attorney General Richards,--The Petition of Daniel McDonald and others, of the Townships of Yonge and Escott, United Counties of Leeds and Grenville; and the Petition of the Municipal Council of the Town of Port Hope.

By Mr. Tessier,--The Petition of the Reverend George S. Derome and others, of the Parish of St. Casimir, County of Portneuf; the Petition of the Reverend Augustin Milette and others, of the Parishes of St. Augustin and Pointe aux Trembles, and other places; the Petition of the Carouge Pier and Wharf Company; and the Petition of George Jirriac and others, of the Parishes of Ste. Catharine and St. Raymond, County of Portneuf.

By the Honorable Mr. Badgley,--The Petition of the Corporation of the Montreal Protestant Orphan Asylum; and the Petition of Mrs. Margaret Lunn and others,

the Directresses and Lady Managers of the University Lying-in Hospital, Montreal.

By Sir Allan N. MacNab,--The Petition of John Strachan, Esquire, of the Town of Goderich, United Counties of Huron, Perth, and Bruce; the Petition of Neh Ford and others, of the Grand River and its vicinity; and the Petition of the Hamilton Gas Light Company.

By Mr. Wright of the East Riding of York,--The Petition of the President and Directors of the Pickering Harbour and Road Joint Stock Company.

By the Honorable Mr. Hincks,--The Petition of the Woodstock and Lake Erie Railroad and Harbour Company.

By Mr. Mattice,--The Petition of Abraham Bockus and others, of the Township of Osnabruck.

By Mr. Street,--The Petition of John Gilbert, of the Township of Wainfleet.

By Mr. Taché,--Two Petitions of the Municipal Council of Municipality Number one, of the County of Rimouski.

By the Honorable Mr. Young,--The Petition of Jacques Viger, Esquire, President, and the Reverend A.F. Truteau, Secretary, on behalf of the Association of the School of St. Jacques, Montreal.

By Mr. Crawford,--The Petition of the Reverend John McMurray and others, Office-Bearers of the Free Presbyterian Congregation, Brockville; and the Petition of Norman Macdonald and others, of the Town of Brockville.

By Mr. Fournier,--The Petition of J.S. Vallée, Esquire, and others, of the Parish of St. Thomas, County of L'Islet.

By Mr. Brown,--The Petition of John Farnsworth and others, of the Township of Hungerfield; of the Reverend William Gundy and others, Members of the Canadian Wesleyan Methodist New Connexion Church; and the Petition of Robert Adamson, Chairman, and John Irvine, Secretary, on behalf of a meeting of the Inhabitants of the Township of Lobo, County of Middlesex.

By Mr. Sicotte,--The Petition of the Reverend Joseph S. Raymond, Superior of the College of St. Hyacinthe.

By Mr. Lemieux,--The Petition of Damase Dufour and others, of the County of Saguenay; and the Petition of James Wilson and others, of the Township of Framp-ton and adjacent parts, County of Dorchester.

By Mr. Lacoste,--The Petition of Pierre Gamelin, Clerk of the late Municipal Council of the District of St. John's.

By the Honorable Mr. Rolph,--The Petition of Jonathan Gundry and others, of

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the Town of Simcoe; and the Petition of George J. Ryerse and others, of the Town-ship of Woodhouse, County of Norfolk.

By Mr. Willson,--The Petition of the Municipal Council of the United Counties of Middlesex and Elgin.

By Mr. Ridout,--The Petition of the City of Toronto Gas Light and Water Company.

By Mr. Stuart,--The Petition of Miss Eliza Taylor, Secretary, on behalf of the Committee of Ladies conducting the Protestant Female Orphan Asylum at Quebec.

By Mr. Cartier,--The Petition of Patrick Brennan and others, Manufacturers of Pot and Pearl Ashes, of the Province of Canada.

By Mr. Dubord,--The Petition of Thomas Simard and others, Pilots for and below the Port of Quebec; the Petition of Cornelius O'Sullivan and others, of the City of Quebec; and the Petition of Thomas C. Lee and others interested in the Shipping in the Port of Quebec.

By Mr. Cauchon,--The Petition of Joseph E. LeBlanc, of the Parish of St. Charles, District of Montreal, Esquire, Notary; and the Petition of Flavien Vallerand, of the City of Quebec.

By the Honorable Mr. Attorney General Drummond,--The Petition of S.S. Foster,

President, and others, Directors of the Shefford Academy.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,--Report of the Board of Directors of the Provincial Lunatic Asylum, for the year ending November, 1851.

For the said Report, see Appendix (J.)

Ordered, That the said Report be printed for the use of the Members of this House.

The Honorable Mr. Morin also presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 30th of May, 1851, praying that His Excellency would be pleased to cause to be laid before the House, 1st. a Return of the aggregate amounts of all the funds in the Court of Chancery, and subject to the control thereof, on the 1st day of April, 1851, namely, the aggregate of all funds deposited in Banks or in Trust and Loan Companies, or invested in Stocks, Mortgages, and other Securities, and all other funds and property under control of said Court; the said Return to show, in separate and distinct items, the names of all the estates, heirs, owners, claimants, suitors, wards, minors, and parties claiming and interested in the said funds, and for what purpose the same are held, whether in trust or otherwise, and the precise amounts of principal, interest and accumulation, and whether the said funds are all properly secured, and so that those under whose more immediate direction they are, may not waste or misapply them, to the injuries of the widows, orphans, infants, and others concerned; the said Return also to show in the same manner, all such funds, to the said date, as were placed in the said Court, and under its control, by virtue of any rules, orders or decisions of the late Vice-Chancellor, the Honorable R.S. Jameson, or of the Officers of his Court, and to specify whether any, and, if so, what part thereof belong to parties unknown to the Court, or who have made no claim during the six years ending on said 1st day of April. 2nd, A Return shewing the nature and extent of security that is given by institutions and Officers entrusted with the control, management, or use of the funds in Chancery.

For the said Return, see Appendix (K.)

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The Honorable Mr. Morin also laid before the House, by command of His Excellency the Governor General,--Reports of the Endowment Board of the University of Toronto, Upper Canada College and Royal Grammar School,--of the Caput of the University of Toronto,--and of the Principal of Upper Canada College, for the year 1851.

For the said Reports, see Appendix (L.)

The Honorable Mr. Morin also presented, pursuant to Addresses to His Excellency the Governor General,--Supplementary Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 16th June, 1851, praying that His Excellency would be pleased to cause to be laid before the House, copies of all Reports made in duplicate to His Excellency by the Endowment Board of the University of Toronto, and of Upper Canada College and Grammar School, and by the Auditors of Accounts of those Institutions, in compliance with the Provisions contained in Sections 22 and 23, and 59 and 60, of the University Act of 1849, shewing the state of the property and effects, and generally of the fiscal or financial affairs of the said University, College and School, since they were established upon principles "to conciliate the confidence and ensure the support of "all classes and denominations of Her Majesty's subjects;" also, copies of all Annual Reports made by the Principal of Upper Canada College and the Royal Grammar School shewing their condition and progress, under the authority of Section 55 of the said Act, or so much of the said copies of Reports as may

have been received by the Government.

For the Said Return, see Appendix (M.)

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 18th June, 1851, praying that His Excellency would be pleased to cause to be laid before the House, a Tabular Return of the Professors and other persons who received salaries or other emoluments from the late University of King's College, and of the Professors and other persons receiving salaries from, or to whom salaries have been assigned, in the University of Toronto, up to the present time, distinguishing each year the amount of their respective salaries and emoluments, the number of Students attending each course of Lectures, and whether such Students attending have been matriculated or not; the fees charged to each Student, the number of Lectures delivered each week by each Professor, and the number of attendances at each Lecture; the annual income of the University, and whether any and what part of the endowment has been applied to the annual expense, and during what years has any part of the endowment been so applied; and what Pensioners are paid out of the funds of the University.

For the said Return, see Appendix (N.)

The Honorable Mr. Morin also laid before the House, by command of His Excellency the Governor General,--Report of the progress made in the Geological Survey of the Province in the years 1850-51.

For the Said Report, see Appendix (O.)

Ordered, That five hundred copies of the said Report be printed in pamphlet form, in each of the English and French Languages, for the use of the Members of this House; and that the said Report be translated by a person specially appointed for that purpose.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Second Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of the Montreal and New York

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Railroad Company, and have ascertained that the requisite Notices have been duly given.

Ordered, That the Honorable Mr. Young have leave to bring in a Bill to authorize the Montreal and New York Railroad Company to extend their Railroad, and to acquire the land necessary for such extension, and for other purposes relative to the said Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Ordered, That the Petition of J.O. Bouchier and others, Reeves and Deputy Reeves of Townships in the United Counties of York, Ontario, and Peel; the Petition of J.O. Bouchier and others, of the Township of Georgina, County of Ontario; and the Petition of Allan Macdonell and others, of the City of Toronto be referred to the Standing Committee on Standing Orders.

Resolved, That the Petition of the Municipality of the Township of Stamford be referred to a Select Committee, composed of Mr. Street, the Honorable Mr. Attorney General Richards, the Honorable Mr. Merritt, Mr. Boulton, and Mr. Cartier, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of the Honorable Mr. Merritt, seconded by Mr. Prince,

Resolved, That an humble Address be presented to His Excellency the Governor

General, to direct to be laid before this House, an Abstract Statement of the amount of the Public Debt for which Debentures are now outstanding, what amount of the same was issued for the construction of Public Works in Upper and Lower Canada, and the nett amount of Toll received on each, after paying the necessary expenses; also, an Estimate of the present value of each Public Work, based on six per cent. income, representing a capital of one hundred pounds.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Honorable Mr. Robinson have leave to bring in a Bill to increase the Jurisdiction of the Division Courts of Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

On motion of the Honorable Mr. Robinson, seconded by Mr. Malloch,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to lay before this House, copies of all Correspondence between the Imperial Government and the Government of this Province or between any Member of the Administration of this Province and the Secretary of State for the Colonies, on the subject of the main Trunk Line of Railway between Halifax and Quebec, and thence westward through Upper Canada.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Resolved, That a Select Committee, composed of Mr. Dubord, the Honorable Mr. Cameron, the Honorable Mr. Robinson, Mr. Egan, Mr. LeBoutillier, Mr. Smith of Frontenac, Mr. Stuart, the Honorable Mr. Merritt, and Mr. Clapham, be appointed to enquire into and report on the expediency of encouraging Ship-building in this

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Province, and the most advisable mode of protecting the Shipping interest therein; with power to send for persons, papers, and records.

Ordered, That Mr. Boulton have leave to bring in a Bill to increase the Jurisdiction of the County Courts in Upper Canada, to amend the Acts regulating their practice, expediting and simplifying the proceedings of the said Courts, and for the settlement of disputes without litigation.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the eighth of September next.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to authorize Her Majesty's Subjects to plead and reason for themselves or others in all Her Majesty's Courts in Canada, and to abolish the title or distinction of Queen's Counsel.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the eighth of September next.

On motion of the Honorable Mr. Merritt, seconded by Mr. Dubord,¹

MR. MERRITT moved an Address to Her Majesty, on amending the Act of 1845, by introducing the same provisions as are contained in the Navigation Act of 1849, which secures for British and Colonial Shipping the same advantages in transportation as are secured to Foreign Shipping. He explained that he did not ask the Imperial parliament to propose a tax on bread; but to ask England to impose the

same duty upon foreign agricultural production, that foreign countries imposed upon those of Britain or her colonies. That was nothing more than an act of justice.²

MR. INSP. GEN HINCKS contended at some length that the motion was absurd, and read from a speech of Sir Robert Peel in support of his argument. England would not now consent to adopt any such measure, and there was no use in asking her.³

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Resolved, That this House will, on Monday next, resolve itself into a Committee of the whole House, to take into consideration certain proposed Resolutions upon which to found an Address to Her Majesty, praying that She will be pleased to sanction the introduction into the Imperial Parliament of an amendment to the Act of 1846, by introducing the same principle of Reciprocity retained in the Act of 1849.⁴

Ordered, That Mr. Brown have leave to bring in a Bill to modify the Usury Laws.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Brown, seconded by Mr. Rose,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying for copies of all Correspondence between the Government of this Province and the authorities of Trinity College, Toronto, in regard to a Royal Charter for the said College.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Boulton have leave to bring in a Bill to repeal the Act 14 & 15 Vic. cap. 77, intituled, "An Act to authorize the employment of Military Pensioners and others, as a local Police Force."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Boulton have leave to bring in a Bill to secure Mechanics and others, a Lien on Buildings erected by them in certain Cities of Upper Canada.

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He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Boulton have leave to bring in a Bill to prohibit the payment to Mechanics and others, in certain Cities of Upper Canada, of wages in goods or by way of truck.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Sicotte have leave to bring in a Bill to prevent the deterioration of lands and hereditaments charged with hypothecs.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of the Honorable Mr. Chabot, seconded by Mr. Lemieux,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying him to cause to be laid before this House, a List of all persons employed under the Office of Crown Lands, both within and without the said Office, including the Agents of the Seigniories belonging to the Crown in Lower Canada,

shewing their names, profession, residence, the nature of their duties respectively, their yearly stipend, and the sums allowed to them for contingent expenses, or the cases in which they receive a per centage on the sums which they collect, what extent of Land each local Agent has under his management, and the date of their appointment to office respectively.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of the Honorable Mr. Chabot, seconded by Mr. Lemieux,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying him to cause to be laid before this House, a List of persons appointed by His Excellency to be Inspectors of Elementary Schools in Lower Canada, in pursuance of the Act of the last Session of the last Parliament 14 & 15 Vic. cap. 97, shewing their profession or calling, their residence, and over what extent of the Province each Inspector was appointed, the remuneration awarded for each such Inspector, and whether such remuneration includes all expenses for travelling, &c., contingent to them, or whether they are to be further allowed for travelling, expenses, and how much.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill for avoiding doubts which might otherwise arise from the Act making alterations in the Territorial Divisions of Upper Canada having come into effect since the last General Election.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

On motion of Mr. Boulton, seconded by Mr. Gamble,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House, copies of all Correspondence that has passed between the Government and the authorities of the Provincial Lunatic Asylum, at Toronto, during the last year, relative to the management of that Institution, or the funds available for its support.

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Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Gamble have leave to bring in a Bill to amend the Act authorizing the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada, so as to compel them to keep their Roads in repair.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Elgin and Kincardine,

The Governor General transmits for the information of the Legislative Assembly, copies of the several Despatches enumerated in the accompanying Schedule.

Government House,

Quebec, 31st August, 1852.

SCHEDULE.

1. Earl Grey to the Earl of Elgin, Circular, 9th December, 1851. Transmitting copy of a Letter from Her Majesty's Commissioners for the Exhibition of 1851.
 2. Sir J. Pakington to the Earl of Elgin, No. 9, 6th April, 1852. In reply to the Address of the Assembly to the Queen for the repeal of certain parts of the Imperial Acts 3rd Geo. 4, cap. 119, and 6th Geo 4, cap. 59.
 3. Ditto to ditto, No. 12, 22nd April, 1851. On the subject of the Clergy Reserves.
 4. The Earl of Elgin to Earl Grey, 26th February, 1852. Enclosing a Minute of the Executive Council advising that Mr. Hincks, Inspector General, should proceed to England to confer with Her Majesty's Government on the subject of aid to be granted to British American Railways.
 5. Earl Grey to the Earl of Elgin, No. 689, 20th February, 1852. Forwarding the copy of a Letter addressed to Mr. Hincks, dated 29th February, 1852, on the subject of the Railway.
 6. Sir J. Pakington to the Earl of Elgin, No. 25, 20th May, 1852. Communicating the decision of Her Majesty's Government on the proposals of the Provincial Delegates with reference to the Imperial aid required for the construction of the Halifax and Quebec Railway.
 7. Sir J. Pakington, No. 47, 17th July, 1852. Transmitting copy of a Treasury Minute on the establishment of a uniform Currency for British North America.
 8. Ditto, No. 48, 17th July, 1852. Stating with reference to the above Despatch, that he will defer submitting to the Queen the Provincial Act for introducing the Decimal system into the Currency of Canada.
- For the said Despatches, see Appendix (P.)
- Ordered, That Five hundred copies of the said Message and Despatches be printed in each of the English and French languages, for the use of the Members of this House.
- Ordered, That Mr. Taché have leave to bring in a Bill to declare the intention of the Law organizing the Notarial Profession, with respect to the study of that Profession.
- He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

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- On motion of Mr. Taché, seconded by Mr. Fortier,
- Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he would be pleased to cause the proper Officer to lay before this House, Specifications for the Wharves now being built on the River St. Lawrence below, together with the names of the Contractors for the building thereof respectively, and those of their several securities, the price of each separate work, and a statement of the quantities of material and workmanship required for the different works, exhibiting at one view the prices allowed to the Contractors respectively.
- Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of the Province.
- Ordered, That Mr. Mackenzie have leave to bring in a Bill to provide for the appointment of Sheriffs of Counties in Upper Canada, at periodical Elections by the freeholders.
- He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the eighth day of September next.

Resolved, That a Select Committee, composed of Mr. Christie of Gaspé, Mr. Dubord, Mr. Taché, Mr. Mongenais, Mr. LeBoutillier, Mr. Ridout, the Honorable Mr. Merritt, Mr. Lyon, and the Honorable Mr. LaTerrière, be appointed to enquire into and report upon the state Fisheries carried on in the Gulf of St. Lawrence, and on the Labrador coast, by the Inhabitants of this Province, the disadvantages under which they labor, the best means of removing the same, and the expediency of providing Legislative encouragement for such Fisheries, in what respect, and how; to report thereon from time to time, with power to send for persons, papers, and records.

Resolved, That a Select Committee, composed of Mr. Taché, the Honorable Mr. Cameron, Mr. Street, Mr. Christie of Wentworth, Mr. Poulin, Mr. Valois, and Mr. Jobin, be appointed to enquire into the state of Agriculture in Lower Canada, and concerning the best means of advancing the interests of that branch of industry, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Brown, seconded by Mr. Mattice,⁵

MR. BROWN then moved for an Address to His Excellency, for a copy or copies of any agreement or agreements entered into by the Quebec and Richmond Railway Company with William Jackson, Esquire, M.P., and others, for the completion of the said Railway; also, for a copy of any correspondence between the Government of this Province and the said William Jackson, Esq. or others, in regard to the Trunk Railroad through this Province. He said that Mr. Hincks had formerly chosen to laugh at the idea of his having made a bargain with Mr. Jackson, and had offered to give correspondence. But since then Mr. Jackson had published an official letter in which he stated that he had an arrangement with Mr. Hincks and that he had come to this country only to carry this arrangement out. It was therefore, not wonderful that the public should have supposed there was an arrangement, when Mr. Jackson thought so too.⁶

The motion was granted.⁷

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, a copy or copies of any Agreement or Agreements entered into by the Quebec and Richmond Railway Company, with William Jackson, Esquire, M.P., and others, for the completion of the said Railway; also, for a copy of any Correspondence between the Government of this Province, or any Member thereof, with the said William Jackson, Esquire, and others, in regard to the Trunk Railroad through this Province.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

The Order of the day for the second reading of the Bill to provide efficient remedy against any inconveniences which may result from the destruction of certain Registers of the Parish of St. Louis de Lotbinière, being read;

The Bill was accordingly read a second time; and ordered to be read the third time To-morrow.

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The Order of the day for the second reading of the Bill to establish Courts of Conciliation or Arbitration in Upper Canada, being read;

Ordered, That the Bill be read a second time on Tuesday next.

The Order of the day for the second reading of the Bill to exempt to the value of _____, the tools or implements of any householder's trade or calling, and the wearing apparel, the bedding, and other furniture required for the

use of his family, from seizure and sale under execution for debt; and to prevent the property thus exempted from being assigned, pledged, or sold in liquidation of debts contracted for intoxicating drinks, being read;

Ordered, That the Bill be read a second time on Tuesday next.

The Order of the day for the House in Committee on the First Report of the Standing Committee on Miscellaneous Private Bills, being read;

Ordered, That the said Order of the day be postponed until Monday next.

The Order of the day for the second reading of the Bill to amend the several Acts incorporating the Company of Proprietors of the Champlain and St. Lawrence Railroad, and for other purposes, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The Order of the day for the second reading of the Bill to authorize an addition to the Capital Stock of the Bank of Montreal, and to facilitate the transfer of Shares in certain cases, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

The Order of the day for the second reading of the Bill to supply an omission in Schedule B to the Act to amend the Upper Canada Municipal Corporations Law Amendment Act of 1850, being read;

The Bill was accordingly read a second time.

The Order of the day for the second reading of the Bill to extend the provisions of an Act, intituled, "An Act for better securing the independence of the Legislative Assembly of this Province," being read;

Ordered, That the Bill be read a second time on Saturday next.

The Order of the day for the second reading of the Bill to amend the Act incorporating the Bar of Lower Canada, being read;

Ordered, That the Bill be read a second time To-morrow.

The Order of the day for the second reading of the Bill to amend the Law relative to the practice of Physic, Surgery and Midwifery in Lower Canada, being read;⁸

DR. LATERRIERE moved the second reading of the bill to amend the medical act of last session.⁹

MR. ROBINSON hoped the measure would be postponed for a short time as he knew that some gentlemen desired to speak upon it.¹⁰

DR. LATERRIERE could not understand why the members from Upper Canada, who were so jealous of interference from Lower Canada should interfere with this bill, confined wholly to Lower Canada.¹¹

MR. ROBINSON said it concerned Upper Canada, because it would prevent an Upper Canadian from practicing in Lower Canada without a new examination.¹²

DR. VALOIS thought that was not so. It was only intended to prevent persons who had not been examined and licensed in either part of the Province from practising without a new examination.¹³

MR. MCDUGALL¹⁴ said he regretted to perceive a desire on the part of the hon. member for Saguenay to hurry his measure through the House. He hoped that the matter would be postponed,¹⁵ in order to give time for documents to be presented,¹⁶ so as to enable parties to obtain such information as would throw light on the subject. The bill which the hon. member wished to introduce did not contain many words, but if it became a law, its effects would be pernicious to a respectable

institution now in operation, and in which all the branches connected with medical science are taught in the most perfect manner; and it appeared to him ... [Mr. M.] that the hon. gentlemen who wished to hurry this bill through, do so with a view to injure the McGill College¹⁷ which had educated more medical men than any other in the country and this in favour of an institution, which to say the least, was not at present so good as the other one.¹⁸

DR. FORTIER did not see why the McGill College should continue to retain the advantages, which it possessed over other schools, or why professors should go on examining their own pupils with the inducement to pass them, which arose from a desire to say they had turned out so many surgeons. He desired rather to protect the young men of the country against foreign competition.¹⁹

MR. AT. GEN. RICHARDS desired delay, thinking that the bill would deprive some gentlemen now having the right to practice of that right.²⁰

MR. SOL. GEN. CHAUVEAU also desired delay on the ground, as we understood, that the Courts had decided that no law could prevent persons holding British licenses to practice from practising in this Province.²¹

Some further conversations took place, during which MR. MACKENZIE contended that the principle of this bill, if adopted, would soon be applied to Upper Canada and that a matter of this kind could not be properly applied to one section of the Province, but ought to be made general. But there was a great principle involved in this matter and that was whether the Province should sustain colleges for all Doctors and give all a like chance. For his own part he detested this narrow minded attempt to exclude old countrymen from the Province and he did not believe the hon. member could find many insinstances [sic] of old country ignorance which could force him to come forward to protect the public health against them, especially when they had already to pass an examination at McGill College-- a College recognized by the Legislature of the Province.²²

Eventually, the bill was read a second time and referred to a select Committee.²³

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The Bill was accordingly read a second time; and referred to a Select Committee, composed of the Honorable Mr. LaTerrière, the Honorable Mr. Rolph, the Honorable Mr. Badgley, Mr. Fortier, and Mr. Valois, to report thereon with all convenient speed; with power to send for persons, papers and records.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Solicitor General Chauveau,

The House adjourned.

[NOTICE OF MOTION RE: BRIDGE ACROSS ST. LAWRENCE RIVER.]

MR. COM. PUB. WORKS YOUNG gave notice, that he will on to-morrow, move for leave to bring in a Bill to empower the Montreal and New York Railroad Company, to build a bridge across the River St. Lawrence, above the Lachine Rapids, and to acquire the land necessary therefor.²⁴

[NOTICE OF MOTION RE: ST. LAWRENCE AND ATLANTIC RAILROAD COMPANY.]

MR. COM. PUB. WORKS YOUNG gave notice, that he will on to-morrow, move for leave to bring in a Bill to grant certain powers to the St. Lawrence and Atlantic Railroad Company.²⁵

[NOTICE OF MOTION RE: BANK OF MONTREAL.]

MR. COM. PUB. WORKS YOUNG gave notice that he will on to-morrow, move for leave to bring in a Bill to amend the charter and increase the capital stock of the Bank of Montreal.²⁶

[NOTICE OF MOTION RE: ABOLITION OF STATUTORY HOLIDAYS.]

MR. BROWN gave notice that he will, on the 13th September, move²⁷ for leave to bring in a Bill to abolish Statutory holidays in this Province.

[NOTICE OF MOTION RE: SEPARATION OF THE UNITED TOWNSHIPS OF EAST TILBURY AND ROMNEY.]

MR. BROWN gave notice that he will, on Monday, 13th September, move for leave to bring in a Bill to Separate the United Townships of East Tilbury and Romney, and erect Romney into an independent corporation.²⁸

[NOTICE OF MOTION RE: COMMON SCHOOL ACT.]

MR. BROWN gave notice that he will, on Monday, next, move for leave to bring in a Bill to repeal the 19th clause of the Common School Act, of the Province, 13 and 14 Vic. Cap. 48--also to repeal the Act of this province 13 and 14 Vic. Cap. 111.²⁹

[NOTICE OF MOTION RE: ABOLITION OF SUNDAY LABOR IN POST OFFICE]

MR. BROWN gave notice, that he will, on Monday next, move for leave to bring in a Bill, for the discontinuance of Sunday labour in the Post Office Department.³⁰

[NOTICE OF MOTION RE: ECCLESIASTICAL INTERFERENCE IN PROVINCIAL ELECTIONS.]

COL. PRINCE gave notice, that he will on Thursday next, move for leave to bring in a Bill to restrain by penal enactments, all Bishops, Priests, Deacons, Curates and other ecclesiastics of every Religious Denomination, from voting at the election of candidates for the representation at Parliament of any constituency in this Province, and also interfering, in any way whatever, directly or indirectly, before or at any such election with persons claiming a right to vote, or with any of the proceeding incidental therein.³¹

[NOTICE OF QUESTION RE: AID TO EDUCATIONAL AND BENEVOLENT INSTITUTIONS.]

MR. BOULTON gave notice, that he will on Thursday next enquire of the Ministry whether they intend contributing aid out of the Public Reserves for the support of sectarian Institutions of Learning or for those of a benevolent character.³²

[NOTICE OF QUESTION RE: REVISION OF PROVINCIAL STATUTES.]

COL. PRINCE gave notice, that he will on Monday next, enquire of the ministry, whether any and what steps have been taken, or whether any are intended to be taken for revising the Statutes of Canada, since the union, and of Upper Canada previous thereto; and if so, when it is probable that such revised Statutes will be published.³³

[QUESTION AND ANSWER RE: PAROCHIAL MUNICIPALITIES IN LOWER CANADA.]³⁴

MR. LEMIEUX [asked a question.]³⁵

MR. AT. GEN. DRUMMOND ... said that Ministers intended to bring in a Bill³⁶ during this session³⁷ for establishing Parochial Municipalities in Canada East.³⁸

[QUESTION AND ANSWER RE: QUEBEC MARINE HOSPITAL.]³⁹

MR. DUBORD [asked a question.]⁴⁰

MR. AT. GEN. DRUMMOND stated in answer ... that it is not the intention of the ministry to take steps for the erection of the Wing of the Marine Hospital at Quebec.⁴¹

[QUESTION AND ANSWER RE: MONEY RECEIVED BY JOSEPH TURCOTTE.]⁴²

MR. DUBORD [a demandé] au ministère, s'il est vrai que Joseph Turcotte, écuyer, membre pour le comté de St. Maurice, a dernièrement reçu une somme d'argent en paiement de ses services comme solliciteur-général sous une administration précédente, ou a eu la promesse du ministère actuel qu'il serait payé de cette somme.⁴³

MR. INSP. GEN. HINCKS stated in answer to Mr. Dubord that it is not true.... But the Inspector General stated that it was the intention of the ministry to submit to the consideration of the House the propriety of paying that gentleman a sum of money for his services as Solicitor General, under⁴⁴ the⁴⁵ late⁴⁶ Conservative Ministry⁴⁷ between the time of his appointment and the issuing of the commission.⁴⁸ He explained that Mr. Turcotte had been written to, offering him the Solicitor Generalship, with the statement that his commission would be issued the next day.⁴⁹ The Ministry had addressed a letter to a member of the administration (Mr. Badgley) by which Mr. Turcotte was appointed, and had received an answer from that gentleman stating that he was not aware of the circumstance of Mr. Turcotte's appointment as that took place just as he joined the ministry, or very shortly after. The present ministry wrote to Mr. Papineau, (a member of the late ministry) on receiving that answer, and learned that Mr. Turcotte had been duly appointed with the advice of all his colleagues; and that the commission was not issued until some time after his appointment.⁵⁰ But it was always understood that this sum was due for the same time, and after making enquiry from members of the late administration, it was ascertained that the offer to Mr. Turcotte was made in a regular manner. Up to this time, however, Mr. Turcotte had not been aware of the intention of the Ministry.⁵¹ It was in these circumstances that he (Mr. H.) thought it proper to submit to the House whether Mr. Turcotte should not be paid. And it was due to that gentleman to state, that he was not aware of these steps taken by the present ministry.⁵²

[QUESTION AND ANSWER RE: OFFICE OF CROWN LANDS.]⁵³

MR. CHABOT [a demandé] au ministère, si c'est l'intention du gouvernement de nommer immédiatement un assistant-commissaire des terres de la couronne, ou de faire des changements dans l'organisation du bureau des terres de la couronne.⁵⁴

MR. COM. CR. LANDS ROLPH stated, as we understood, in answer ... that it is not the intention of the Ministry forthwith to appoint an Assistant Commissioner of Crown Lands, or to make a change in the organization of the Office of Crown Lands.⁵⁵

[QUESTION AND ANSWER RE: LIQUIDATION OF MUNICIPAL COUNCILS' DEBTS.]⁵⁶

MR. CAUCHON [a demandé] au ministère, si c'est l'intention du gouvernement d'introduire pendant la session, une mesure pour mettre à effet les intentions manifestes du statut 8 Vict., chap. 77, et de pourvoir par là à la liquidation des dettes et obligations des ci-devant conseils des districts municipaux [sic] du Bas Canada.⁵⁷

MR. AT. GEN. DRUMMOND stated in answer ... that⁵⁸ par la mesure que le gouvernement doit introduire au sujet des municipalités, il a l'intention de rendre les municipalités responsables de ces dettes.⁵⁹

[QUESTION AND ANSWER RE: REPEAL OF PROPERTY QUALIFICATION.]⁶⁰

MR. ROSE enquired of the ministry whether it is their intention, during the present Session, to take such steps as may by them be thought requisite to procure the repeal of that part of the Imperial Statute which requires a property qualification for Members of the Legislative Assembly.⁶¹

MR. INSP. GEN. HINCKS said there was no objection on the part of the ministry to remove the property qualification of members of parliament; but they objected to making an isolated appeal of that nature, and did not intend to do so during the present session, especially in view of thn [sic] applications which they intended to make.⁶²

[QUESTION AND ANSWER RE: AMENDMENT OF JURY LAWS OF LOWER CANADA.]⁶³

MR. R. CHRISTIE (Gaspé) inquired of the ministry whether they intend to introduce during the course of this Session, any Bill to alter the present oppressive Jury laws of Lower Canada?⁶⁴

MR. AT. GEN. DRUMMOND said that evils were owing to the present system of centralization, and could not be reformed except by a reform of the whole system of judicature, which the government had under consideration.⁶⁵

[QUESTION AND ANSWER RE: AMENDMENT OF THE UNION ACT.]⁶⁶

MR. MACKENZIE [a demandé] au ministère, s'il a l'intention de proposer, par une adresse à sa majesté, ou autrement, des amendements et quels amendements au statut impérial 4 Vict., chap. 35, communément appelé acte d'union.⁶⁷

MR. INSP. GEN. HINCKS stated in answer⁶⁸, non, pas pour le présent.⁶⁹

[QUESTION AND ANSWER RE: TORONTO LUNATIC ASYLUM.]⁷⁰

MR. BOULTON [asked a question.]⁷¹

MR. INSP. GEN. HINCKS stated in answer ... that it is the intention of the ministry to institute an enquiry into the management of the Lunatic Asylum at Toronto, and to bring in a bill this session to secure the better management of this Institution.⁷²

[POSTPONED QUESTION RE: ADMINISTRATION OF JUSTICE,
DISTRICT OF ST. FRANCIS.]

MR. TERRILL [a demandé] au ministère, si le gouvernement a l'intention d'adopter des mesures immédiates pour prévenir l'interruption complète de l'administration de la justice dans le district de St. François, en conséquence de la grave maladie de M. le juge Gairdner, le seul juge résident dans ce district.⁷³

Question remise.⁷⁴

[WITHDRAWN MOTION RE: TUG BOATS ON THE ST. LAWRENCE.]⁷⁵

MR. ROBINSON moved for a Select Committee to consider and report upon the necessity of placing Steam Tug Boats on the St. Lawrence, between Lachine and Kingston.⁷⁶

MR. INSP. GEN. HINCKS suggested that the hon. member had better withdraw his motion until the report of the commissioner of Public Works was laid before the House, which would be immediately.⁷⁷

MR. COM. PUB. WORKS YOUNG asked the hon. member to defer his motion.⁷⁸

MR. ROBINSON after remarking upon the importance of the subject agreed to withdraw his motion.⁷⁹

Motion withdrawn.⁸⁰

FOOTNOTES: 31 AUGUST 1852.

1. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852, QUEBEC GAZETTE, 3 SEPTEMBER 1852, PILOT, 3 September 1852, GLOBE, 7 September 1852, and NIAGARA MAIL, 15 September 1852. The debate was also reported by JOURNAL DE QUEBEC, 4 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 6 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852.
2. MORNING CHRONICLE, 1 September 1852.
3. IBID.
4. MORNING CHRONICLE, 1 September 1852, reported that "Mr. Merritt withdrew his motion."
5. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852, QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, BRITISH COLONIST, 7 September 1852, GLOBE, 7 September 1852, HAMILTON GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, and NORTH AMERICAN, 16 September 1852. The debate was also reported by JOURNAL DE QUEBEC, 4 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DIALY, 6 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852.
6. MORNING CHRONICLE, 1 September 1852.
7. IBID.
8. The following papers reported the debate on this matter in partially identical accounts: NORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852, QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, BRITISH COLONIST, 7 September 1852, GLOBE, 9 September 1852, HAMILTON GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, and NORTH AMERICAN, 16 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 6 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September, 1852.
9. MORNING CHRONICLE, 1 September 1852.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, which attributed this speech to Mr. R. Macdonald of Cornwall.
15. NORTH AMERICAN SEMI-WEEKLY, 10 September 1852.
16. MORNING CHRONICLE, 1 September 1852.
17. NORTH AMERICAN SEMI-WEEKLY, 10 September 1852.
18. MORNING CHRONICLE, 1 September 1852.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. GLOBE, 7 September 1852.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.

34. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, QUEBEC GAZETTE, 3 September 1852,
MONTREAL GAZETTE, 3 September 1852, GLOBE, 7 September 1852, NORTH AMERICAN
SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 August 1852, and NORTH
AMERICAN, 16 September 1852; PILOT, 1 September 1852, HAMILTON SPECTATOR DAILY,
10 September 1852, MONTREAL GAZETTE, 1 September 1852, HAMILTON GAZETTE,
2 September 1852, BRITISH COLONIST, 3 September 1852, BATHURST COURIER,
10 September 1852.
35. PILOT, 1 September 1852.
36. IBID.
37. MORNING CHRONICLE, 1 September 1852.
38. PILOT, 1 September 1852.
39. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852, QUEBEC
GAZETTE, 3 September 1852, GLOBE, 7 September 1852, and NIAGARA MAIL, 15
September 1852; PILOT, 1 September 1852, HAMILTON SPECTATOR DAILY, 1 September
1852, MONTREAL GAZETTE, 1 September 1852, HAMILTON GAZETTE, 2 September 1852,
BRITISH COLONIST, 3 September 1852, and BATHURST COURIER, 10 September 1852.
40. MORNING CHRONICLE, 1 September 1852.
41. IBID.
42. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852,
QUEBEC GAZETTE, 3 September 1852, BRITISH COLONIST, 7 September 1852, GLOBE,
7 September 1852, HAMILTON GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-
WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September 1852, and NORTH AMERICAN,
16 September 1852; PILOT, 1 September 1852, HAMILTON SPECTATOR DAILY,
1 September 1852, MONTREAL GAZETTE, 1 September 1852, HAMILTON GAZETTE,
2 September 1852, BRITISH COLONIST, 3 September 1852, and BATHURST COURIER,
10 September 1852. The question and answer were also reported by JOURNAL DE
QUEBEC, 4 September 1852.
43. JOURNAL DE QUEBEC, 4 September 1852.
44. MORNING CHRONICLE, 1 September 1852.
45. PILOT, 1 September 1852.
46. MORNING CHRONICLE, 1 September 1852.
47. PILOT, 1 September 1852.
48. MORNING CHRONICLE, 1 September 1852.
49. PILOT, 1 September 1852.
50. MORNING CHRONICLE, 1 September 1852.
51. PILOT, 1 September 1852.
52. MORNING CHRONICLE, 1 September 1852.
53. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852, QUEBEC
GAZETTE, 3 September 1852, and NIAGARA MAIL, 15 September 1852; PILOT, 1 September
1852, HAMILTON SPECTATOR DAILY, 1 September 1852, MONTREAL GAZETTE, 1 September
1852, HAMILTON GAZETTE, 2 September 1852, BRITISH COLONIST, 3 September 1852,
and BATHURST COURIER, 10 September 1852. The question and answer were also
reported by JOURNAL DE QUEBEC, 4 September 1852.
54. JOURNAL DE QUEBEC, 4 September 1852.
55. MORNING CHRONICLE, 1 September 1852.
56. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852, QUEBEC
GAZETTE, 3 September 1852, and NIAGARA MAIL, 15 September 1852; PILOT, 1 September
1852, HAMILTON SPECTATOR DAILY, 1 September 1852, MONTREAL GAZETTE, 1 September
1852, HAMILTON GAZETTE, 2 September 1852, BRITISH COLONIST, 3 September 1852, and
BATHURST COURIER, 10 September 1852. The question and answer were also reported
by JOURNAL DE QUEBEC, 4 September 1852.

57. JOURNAL DE QUEBEC, 4 September 1852.
58. MORNING CHRONICLE, 1 September 1852.
59. JOURNAL DE QUEBEC, 4 September 1852.
60. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852,
QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, GLOBE, 7 September
1852, and NIAGARA MAIL, 15 September 1852. The question and answer were also
reported by JOURNAL DE QUEBEC, 4 September 1852.
61. MORNING CHRONICLE, 1 September 1852.
62. IBID.
63. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852,
QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, GLOBE, 7 September
1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15
September 1852, and NORTH AMERICAN, 16 September 1852. The question and
answer were also reported by JOURNAL DE QUEBEC, 4 September 1852.
64. MORNING CHRONICLE, 1 September 1852.
65. IBID.
66. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852,
QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, GLOBE, 7 September
1852, and NIAGARA MAIL, 15 September 1852. The question and answer were also
reported by JOURNAL DE QUEBEC, 4 September 1852.
67. JOURNAL DE QUEBEC, 4 September 1852.
68. MORNING CHRONICLE, 1 September 1852.
69. JOURNAL DE QUEBEC, 4 September 1852.
70. The following papers reported this question and answer in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852,
QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, GLOBE, 7 September
1852, NORTH AMERICAN SEMI-WEEKLY, 10 September 1852, NIAGARA MAIL, 15 September
1852, and NORTH AMERICAN, 16 September 1852.
71. MORNING CHRONICLE, 1 September 1852.
72. IBID.
73. JOURNAL DE QUEBEC, 4 September 1852.
74. IBID.
75. The following papers reported this withdrawn motion in identical accounts:
MORNING CHRONICLE, 1 September 1852, MONTREAL GAZETTE, 3 September 1852,
QUEBEC GAZETTE, 3 September 1852, PILOT, 3 September 1852, GLOBE, 7 September
1852, and NIAGARA MAIL, 15 September 1852. The motion was also reported by
JOURNAL DE QUEBEC, 4 September 1852.
76. MORNING CHRONICLE, 1 September 1852.
77. IBID.
78. IBID.
79. IBID.
80. IBID.

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THE following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Cameron,--Three Petitions of the Municipal Council of the United Counties of Huron, Perth, and Bruce; the Petition of Samuel Barnard and others, of the Township of Cumberland; and the Petition of the Town Council of the Town of Amherstburg.

By Mr. Jobin,--The Petition of the Industry Village and Rawdon Railroad Company.

By Mr. Patrick,--The Petition of Thomas Ferguson and others, of the Township of Edwardsburgh, County of Grenville.

By Mr. Burnham,--The Petition of the Mayor and Town Council of the Town of Cobourg; and the Petition of Thomas Bingley and others, of the Township of Haldimand.

By Mr. Shaw,--The Petition of Joshua Adams, Esquire, and others, of the United Counties of Lanark and Renfrew.

By Mr. Hartman,--The Petition of Donald Cameron, of the Township of Thorah; the Petition of Thomas Appleton, of the Township of King; and the Petition of N. Gatchell and others.

By Mr. Crawford,--The Petition of William Webster and others, of the Township of Escott, in the United Counties of Leeds and Grenville.

By Mr. Mattice,--The Petition of Jacob Brown and others, of the Township of Osnabruck, County of Stormont.

By Mr. Gouin,--The Petition of the Municipality of the Town or Borough of William Henry.

By Mr. Mongenais,--The Petition of Eleazar Hays and others, Censitaires, of the Parish of Soulanges, County of Vaudreuil.

By Mr. McDougall,--The Petition of the Municipal Council Number one, of the County of Drummond.

By Mr. Turcotte,--The Petition of Hercule Bruneau and others, of the Parish of Maskinongé, County of St. Maurice.

By Mr. Fournier,--The Petition of Joseph Blais, of the Parish of St. Pierre, County of L'Islet.

By Mr. Street,--Four Petitions of the Municipal Council of the United Counties of Lincoln and Welland; and the Petition of Andrew Oliphant, of the Township of Stamford, County of Welland.

By Mr. McLachlin,--The Petition of the Mayor and Town Council of Bytown.

By Mr. Boulton,--Two Petitions of the Mayor, Aldermen, and Commonalty of the City of Toronto.

By Mr. Brown,--The Petition of the Reverend Charles Rollit and others, of the Township of Rawdon; the Petition of William Brown and others, of the United Counties of Lanark and Renfrew; the Petition of John C. Ball, Esquire, and others, of the Township of Niagara; and the Petition of the Reverend R.L. Tucker and others, of the County of Ontario.

By Mr. Laurin,--The Petition of Antoine Monfet and others, of the Parish of Ste. Croix, County of Lotbinière; and the Petition of the Reverend P. Bedard and others, of the County of Lotbinière.

By the Honorable Mr. Chabot,--The Petition of the Reverend N.C. Fortier and others, School Commissioners, and others, of the Parish of St. Michel, County of Bellechasse; and the Petition of André Bézeau, Esquire, and others, of the County of Megantic.

By Sir Allan N. MacNab,--The Petition of John Mills and others, of the City

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of Hamilton; and the Petition of the Honorable J. Elmsley and others, Roman Catholic Inhabitants of the Diocese of Toronto.

By Mr. Stuart,--The Petition of M.G. Mountain and others, of the City of Quebec; and the Petition of Joseph Hamel and others, of the City of Quebec.
By Mr. White,--The Petition of Alexander McNaughton and others, of the County of Halton.

By Mr. Ridout,--The Petition of the Provincial Mutual and General Insurance Company; and the Petition of the Toronto and Guelph Railway Company.

By Mr. Dubord,--The Petition of Joseph Bedard and others, of the Parish of St. Roch of Quebec; and the Petition of Mrs. Widow Olivier Blais, of the Parish of St. Roch of Quebec.

By Mr. Prince,--Five Petitions of the Municipal Council of the United Counties of Essex and Lambton; and the Petition of Lauchlan McDougal, senior, of Wallaceburgh, County of Kent.

By the Honorable Mr. Merritt,--Four Petitions of the Municipal Council of the United Counties of Lincoln and Welland.

By Mr. Sicotte,--The Petition of Emmanuel C. Després.

By Mr. Christie of Wentworth,--The Petition of A. Greely and others, Electors of the County of Prince Edward.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Municipal Council of the second Municipal Division of the County of Saguenay; praying aid to open and improve certain Roads, and to construct Bridges over certain Rivers in the said County.

Of the Reverend A. Simard and others, on behalf of the Association of Charitable Ladies of the Parish of St. Etienne de la Malbaie; praying for the passing of an Act to incorporate the said Association.

Of Mrs. Eleanor Teed, of the City of Quebec; complaining of injustice done to her late husband, by his imprisonment on suspicion of treason in the year 1838, by which his days were shortened; and praying redress and relief in the premises.

Of J. Easton, M.D. and others, of the Town of Prescott; of the Reverend James Elliott and others, the Wesleyan Methodist Congregation of the Town of Prescott; of Henry Stevens and others, of the Village of Warsaw, Township of Dummer; of the Reverend A.F. Atkinson and others, of the Town of St. Catherines; of the Reverend William Meldrum and others, of the Congregation of Puslinch in connection with the Presbyterian Church of Canada; and of the Reverend James Lore and others, Members of the Presbyterian Church of Mono Center, Canada West; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of James Turnbull, junior, and others, of the Town of Prescott; of M. Anderson and others, of the Town of London; of Samuel Ault and others, of the Township of Osnabruck; and of Thomas Robson and others, of the western part of the Township of London; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of the Town Council of the Town of Prescott; praying that a Provincial Loan of \$75,000 may be granted to the Bytown and Prescott Railway Company, to aid in the completion of the said work.

Of the Town Council of the Town of Prescott; praying for the construction of a Canal similar in dimensions to the St. Lawrence Canals, to connect the waters of the St. Lawrence with Lake Champlain.

Of François Boucher and others, of the Parish of St. Joseph de Maskinongé, County of St. Maurice; praying for the passing of an Act to authorize and provide for the partition of the Common of Maskinongé among those interested therein.

Of André A. Asselin, Teacher, of St. François-Xavier du Lac St. Pierre, County

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of Yamaska; praying compensation for his services in teaching the French additional School of District No. 3, from 26th November, 1832, to 15th August, 1843.

Of J.B. Pepin, President, and others, Trustees of the Corporation of the Com-

mon of the Seigniorship of St. Antoine de La Baie; praying for the passing of an Act to authorize the conceding of certain portions of the said Common, for the better government thereof.

Of William Ruthven, of the Parish of St. Louis de Lotbinière; praying for aid to promote the circulation of a work published by him on Agricultural Chemistry, simplified and adopted for Elementary Schools.

Of the Reverend Edouard Faucher and others, of the Parishes of Lotbinière and St. Croix, County of Lotbinière; of the Reverend P.L. Lahaye and others, of Stanford, Blandford, and other places in the Counties of Nicolet and Lotbinière; and of the Reverend J.B. Chartré and others, of St. Pierre les Becquets, County of Nicolet; praying for aid to improve the Blandford Road, and to construct a Bridge over the River Bécancour.

Of Robert C. Struther and others, of the Township of Murray and that part of the Township of Brighton formerly making part of the said Township of Murray, County of Northumberland; praying that the peninsula of Presqu'Isle may be attached to the Township of Cramahé,--that the Gore of Murray, east of Trent River, may remain attached to the Township of Seymour, and that otherwise the said Township of Murray may be restored to its original limits.

Of A. English and others, mechanics, operatives, and others, of the City of Hamilton; praying for the passing of an Act similar to that introduced last Session, to prohibit the payment, to Mechanics and Artificers, of wages in goods or by way of truck, or otherwise than in the current coin of the Province, and also to secure Mechanics and others erecting buildings and furnishing materials therefor, by a Lien upon the same.

Of P.M. Bardy, Esquire, Secretary, on behalf of the School of Medicine of Quebec; praying aid in behalf thereof.

Of Lewis Clement, of the Village of Thorold, County of Welland; praying payment of the arrears of the pension granted him in consideration of the wounds he received during the late War with the United States.

Of the Honorable A.N. Morin and others, of the City of Quebec; praying for an Act of Incorporation as "La Compagnie des Cent Associés," for the construction of one or more Steamboats to navigate the River St. Lawrence.

Of Donald Fraser and others engaged or interested in the Cod Fisheries in the Gulf of St. Lawrence; representing that the encouragement given by Foreign Countries, by bounty and otherwise, to their subjects engaged in the Fishing Trade, gives them an unfair advantage over Canadians fishing in the same waters,--and praying for such encouragement and protection as may advance that branch of the trade of Canada.

Of Antoine Bernier and others, of the Parish of St. Simon, County of Rimouski; praying aid for the construction of a Wharf and the opening of a Road in the Seigniorship of Nicholas Rioux.

Of William P. Vidal, Esquire, and others, of the Township of Moore, County of Lambton; praying that the Government allowance for Road across the front Lots, from number thirty-seven to number sixty-four, inclusive, in the said Township, may be closed up, and granted to the owners of the respective Lots, as recompense for the more practicable Road granted by them through their said lands.

Of William B. Wells, Esquire, and others, Justices of the Peace in and for the County of Kent, in Court of General Quarter Sessions assembled; praying for the passing of an Act to amend the Laws requiring the publication in local newspapers of Convictions by Justices of the Peace, and of Quarterly Returns of Licenses issued.

Of J.A. Mathison and others, of Pointe à Cavagnal, County of Vaudreuil; pray-

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ing for the passing of an Act to define the rights and privileges of Seigniors, to remove certain abuses, and to provide equitable recourse in certain cases.

Of Henry Smith, Esquire, late Warden of the Provincial Penitentiary of Canada;

complaining of the manner in which the investigation of charges preferred against him was conducted by the Commissioners appointed for that purpose, and also of his suspension and final removal from the said office,--and praying relief in the premises.

Of the Municipal Council of the United Counties of Middlesex and Elgin; praying certain amendments to the Jury Law,--for a reduction of the expenses of the Administration of Justice,--for the amendment of the Municipal Corporation Act,--and that the Lunatic Asylum Tax be reduced, or otherwise such change made in its management as that all classes may be admitted.

Of the Municipal Council of the United Counties of Middlesex and Elgin; praying for an increase of the Harbour Dues on Saw Logs exported from the shores of Lake Erie.

Of Louis Harvay and others, of L'Isle aux Coudres, County of Saguenay; praying that in the adoption of such measures as may be deemed expedient to settle the question existing between the Seigniors and Censitaires of Lower Canada, the interest of the latter party may be duly cared for.

Of the Right Reverend the Bishop of Tloa, and others, Members of the Société Ecclésiastique de St. Michel; praying an Act of Incorporation authorizing the said Society to acquire and hold Real Estate to a certain amount.

Of Sister M.A.M. Mallet, Superior, and other Nuns, Sisters of Charity of Quebec; praying an Act of Incorporation under the name of "Les Soeurs de la Charité de Québec."

Of Dunbar Ross, of the City of Quebec, Esquire, Advocate, setting forth: That at the late Election of a Member to serve in the present Parliament for the County of Megantic in this Province, John Greaves Clapham, of the said City of Quebec, Esquire, François Lemay Poudrier, of the Township of Somerset, in the said County of Megantic, Esquire, Land Surveyor, and the Petitioner, were Candidates, and that the Petitioner claimed and still claims the right to have been returned at the said Election as the Member for the said County: That under and in virtue of the Writ of Election for the said County, bearing date at the said City of Quebec, on the sixth day of November, in the year of our Lord 1851, the nomination day for the said Election was appointed for the fifth day of December, in the year aforesaid, on which last day, John R. Lambly, Esquire, Registrar of the first Division of the said County, being and acting as the Returning Officer for the said Election, proceeded to hold the said Election at the Township of Leeds, in the said County: That after the opening of the said Election, and the observance of certain formalities required by law in that behalf, the Petitioner voluntarily made and delivered to the said Returning Officer, the declaration in writing in that behalf by law required of him as such Candidate as aforesaid; and then and there on the said day of nomination, and before a Poll was demanded or granted, duly demanded and required of the said John Greaves Clapham and François Lemay Poudrier, and of each of them personally, to make and deliver to the said Returning Officer on their behalf and the behalf of each of them, the declaration in writing by law required of them and of each of them, as such Candidates as aforesaid, as the same appears by the Certificate of the said Returning Officer in the following words:--"I, John R. Lambly, Esquire, Returning Officer for the County of Megantic, for the Election now last holden for and in the said County, in and by virtue of the Writ of Election issued for the Election of a Member to serve in the Legislative Assembly of this Province for the said County, bearing date the sixth day of November, one thousand eight hundred and fifty-one, do hereby, in my quality aforesaid, certify, that on the day of the nomination of the said Election, and before a Poll was granted, the different Candidates at the said Election, to wit, Dunbar Ross,

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Esquire, John Greaves Clapham, Esquire, and François Lemay Poudrier, Esquire, were each and severally personally required, in the manner required by the Statutes in that behalf made and provided, to make and deliver to me in my quality afore-

said, the declaration and qualification required by law in order to make a Candidate, or to make either of the said Candidates capable of being elected Member to serve in the said Legislative Assembly of this Province. Given under my hand, at the Township of Leeds, County of Megantic, this 22nd day of December, 1851. (Signed,) John R. Lambly, R.O., County Megantic;" whereupon the said John Greaves Clapham made and delivered to the said Returning Officer, a certain document in writing purporting to be such declaration, whereof the following is a copy, and of the certificate of the Returning Officer thereunto attached:--"I, John Greaves Clapham, do declare and testify, that I am duly seized at law or in equity as of freehold for my own use and benefit, of Lands and Tenements held in free and common soccage in the Province of Canada, of the value of Five hundred pounds of sterling money of Great Britain, over and above all rents, mortgages, charges, and incumbrances, charged upon or due and payable out of or affecting the same, and that I have not collusively or colorably obtained a title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling me to be returned a Member of the Legislative Assembly of the Province of Canada; and I further declare that the Lands or Tenements as aforesaid, consist of Lot No. 9, in the 14th range of Nelson; 150 acres of Lot numbered 15, 5th range; the north-west half of Lot numbered 13; the north-west half of Lot No. 17; the Lot No. 18, in the 7th range of the Township of Inverness; the north-west half of Lot No. 10, in the 6th range of the Township of Halifax; the north-east half of Lot No. 15, in the 2nd range; the Lot numbered 15; the north-east half of Lot No. 16; the south three-fourths of Lot No. 17; the south-east half of Lot No. 18; the south half of the north-west half of Lot numbered 19, situated in the 4th range of the Township of Ireland; together with all the houses, barns, stables, mill-sites, ameliorations, and betterments, that may be upon the aforesaid Lots and half Lots respectively, in the said Townships of Nelson, Inverness, Halifax, and Ireland, being in the County of Megantic, in the District of Quebec, in the Province of Canada. Leeds, County Megantic, 4th December, 1851. (Signed,) J.G. Clapham." "I certify the above to be a true copy of John Greaves Clapham, Esquire's, qualification given and deposited with me on the day of the nomination at the Election now last holden for the County of Megantic. (Signed,) John R. Lambly, Returning Officer for the County of Megantic. Leeds, the 20th day of December, 1851, after Proclamation made:" That the said François Lemay Poudrier thereupon also made and delivered to the said Returning Officer, a certain other document in writing, purporting to be such his declaration in that behalf, whereof the following is a copy: "Qualification de Frs. L. Poudrier comme Candidat à l'Election de Mégantic: Je prétend me qualifier sur les propriétés suivantes: sur les lots 56 et 55 du cinquième rang de St. Pierre les Becquets, borné à l'ouest au No. 57, et au nord-est au No. 54, joignant par le nord au 4e rang, et par le sud au 6e rang; lot No. 29, du 7e rang de Somerset, comprenant la moitié du sud-est du dit lot borné en front par le nord au sixième rang, et par le sud au huitième rang; une terre de trois arpents et un tiers de front, sises et situées au huitième rang du Township de Somerset, faisant partie du lot No. 28, joignant par le sud-ouest à l'Honorable Louis Massue, et par le nord-est à Pierre Hubert Prince et François-Xavier Delisle, joignant par le nord au septième rang et par le sud au neuvième rang, avec plusieurs bâtisses dessus construites, circonstances et dépendances. Je certifie que les propriétés ci-dessus mentionnées m'appartiennent suivant bon et just Titres. (Signed,) F.L. Poudrier. Somerset, ce 4e Décembre, 1851." That by the Provincial Statute 12 Vic. cap. 27, sec. 49, it is amongst other things enacted as follows:--"and when such declaration" (that is to

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say, the declaration required of a Candidate as aforesaid) " shall be so made by any Candidate, whether voluntarily or in consequence of his being thereunto so required as aforesaid, it shall be made either before the Returning Officer or before some Justice of the Peace, or the Mayor, or one of the Aldermen of some City

or Town in this Province, and such Returning Officer, Justice of the Peace, Mayor, or Alderman shall take the same, and shall attest it by writing at the foot thereof the words taken and acknowledged before me," or other words to the like effect, and by dating and signing such attestation; and any Candidate who shall deliver or cause to be delivered such declaration so made and attested to the Returning Officer at any time before the Proclamation made by him at the closing of the Election as above mentioned in this section, shall be deemed to have complied with the law to all intents and purposes as regards such declaration;" and by section 48, of the same Statute, it is also amongst other things enacted, as follows, that is to say: "and any person who, in giving the description of such Lands or Tenements as above required," (namely, the description of Lands and Tenements required by the said Statute to be given and inserted at the foot of the declaration aforesaid,) "shall knowingly and wilfully make any false statement relative to the situation, position, extent or bounds of such Lands or Tenements, shall be deemed guilty of a misdemeanor, and shall, on being duly convicted thereof, incur the same pains and penalties as may by law be inflicted on persons guilty of wilful and corrupt perjury:" That the said declaration in writing, so made and delivered by the said John Greaves Clapham as such Candidate as aforesaid to the said Returning Officer, was not made before the said Returning Officer, nor before any one of the said public functionaries by the said Statute appointed in that behalf; nor was the said declaration taken by the said Returning Officer, or any one of the said public functionaries, nor was the same attested by them, or any one of them, in the manner prescribed in and by the said Statute, nor otherwise howsoever: That the said John Greaves Clapham did not, at any time before the Proclamation made by the said Returning Officer at the closing of the said Election, acknowledge the said document purporting to be such his declaration as aforesaid, nor cause the same to be taken and attested in the manner prescribed by the Statute aforesaid, nor otherwise howsoever; nor did he make and deliver to the said Returning Officer any other declaration, conformable to the provisions of law in that behalf, nor other document in writing whatsoever as and for such declaration: That by reason of the premises, the said document in writing purporting to be the declaration of the said John Greaves Clapham, so duly required and demanded of him in manner aforesaid, to be by him made in obedience to the requirements of law in that behalf, before he "could be elected, or be capable of being elected or returned" a Member to represent the said County in the Legislative Assembly of this Province, was and is null and void, and of no effect whatever, as such declaration in law: That the said John Greaves Clapham having thus omitted and refused to make and deliver to the said Returning Officer, a declaration in writing conformable to the requirements of law in that behalf, in order to render him capable of being elected as a Member to represent the said County in the Provincial Parliament, and so duly required and demanded of him as aforesaid, cannot be deemed to have complied with the law as enacted in and by the Statute in that behalf; but, on the contrary thereof, the said John Greaves Clapham has, to all intents and purposes, as regards such declaration and such Election, utterly failed and neglected so to do, and so it ought to be deemed and held by the House, and that all, each, and every, the votes of the Electors of the said County given and enregistered for and on behalf of the said John Greaves Clapham were and are void and of no legal effect whatever, and are in law, and ought to be by the House, deemed and considered as thrown away and of no effect; and by reason thereof also, the Indenture or Instrument in writing,

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made and executed in that behalf by and before him the said Returning Officer, and bearing date on the twentieth day of December, in the year aforesaid, and the Return of the said John Greaves Clapham as such Member, by the said Returning Officer, to represent the said County as aforesaid, were and are, and each of them was and is null and void and of no effect whatever, and so ought to be con-

sidered and held by the House: That the Petitioner doth further aver, that on the day of the opening of the said Election, to wit, on the said fifth day of December, in the year aforesaid, the said John Greaves Clapham was not, nor did he then and there, after being so duly required so to do as aforesaid, nor at any time before the closing of the said Election, declare and testify in conformity with the law in that behalf, that he was duly seized at law or in equity as of freehold, for his own use and benefit, of Lands or Tenements held in free and common soccage, or duly seized or possessed for his own use and benefit, of Lands or Tenements held en fief, or en roture, in the Province of Canada, of the value of Five hundred pounds of sterling money of Great Britain, over and above all rents, mortgages, charges, and incumbrances, charged upon or due and payable out of or affecting the same, and that he had not collusively or colorably obtained a title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling him to be returned a Member of the Legislative Assembly of the Province of Canada; and further, that the Lands and Tenements mentioned and described in the aforesaid document purporting to be such declaration in law as aforesaid, were not on the day last aforesaid, nor are they now of the value of Five hundred pounds sterling money aforesaid, over and above all rents, mortgages, charges, and incumbrances, charged upon or due and payable out of or affecting the same: That the number of votes purporting to have been taken and recorded for and on behalf of the said John Greaves Clapham, is five hundred and sixty-five; that the number of votes given and recorded for and on behalf of the Petitioner, is five hundred and thirty-eight; and the number of those purporting to have been given and recorded for and on behalf of the said François Lemay Poudrier, is five hundred and fourteen, as the same appears in and by the Poll Books of the said Election, thereby making an apparent majority of twenty-seven votes for the said John Greaves Clapham, over the votes polled on behalf of the Petitioner; and praying, without waiver of any objection in law to the legality of the votes so purporting to have been taken and enregistered on behalf of the said John Greaves Clapham and of the said François Lemay Poudrier, respectively, and without waiver also of any objection in law to the legality of the Election and Return of the said John Greaves Clapham, upon other and further grounds, that the House will be pleased to take the premises into consideration, and declare the said Election and Return of the said John Greaves Clapham wholly null and void, and thereupon that the House will direct the Return for the said County to be amended accordingly, by erasing therefrom the name of the said John Greaves Clapham, and inserting instead thereof the name of the Petitioner, or that the House will declare the said Election for the said County wholly null and void, and direct that a new Writ do issue for the Election of a Member to serve in Parliament for the same, and grant to the Petitioner such other and further relief in the premises, as to the House may seem meet.

Of Benjamin Ouimet and others, of the Townships of Upton and Acton; praying that the said Townships may be annexed to the County of St. Hyacinthe, and the District of Montreal.

Of the Reverend T.H. Prévost, Director, and others, Officers and Members of "La Congrégation des Hommes de Ville-Marie, of Montreal"; praying an Act of Incorporation, with certain provisions.

Of William Patton, Esquire, and others, of the Judiciary District of St. Thomas; praying that a more extended Civil and Criminal Jurisdiction be granted to the said District.

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Of the Reverend F. Alain and others, of the Township of New Richmond, County of Bonaventure; praying aid for the erection of Bridges over the Grand and Little Cascapédia Rivers.

Of William Jameson and others, Members of the Mechanics' Institute and Library

Association of Renfrew; praying for aid in behalf of the said Institution.

Of Benoit Hoffay, late Sergeant, and Alexis Rubin, late Corporal, of the De-Meuron Regiment; representing that in the year 1818 they were granted a right to a certain quantity of land which they have not yet been able to locate, and praying relief in the premises.

Of the British America Fire and Life Assurance Company; praying for certain amendments to the Act incorporating the said Company.

Ordered, That the Petition of William P. Vidal, Esquire, and others, of the Township of Moore, County of Lambton; the Petition of the Reverend A. Simard and others, on behalf of the Association of Charitable Ladies of the Parish of St. Etienne de la Malbaie; the Petition of the British America Fire and Life Assurance Company; the Petition of Edmund Coulson and others, of the Township of Toronto; the Petition of Sister M.A.M. Mallet, Superior, and other Nuns, Sisters of Charity of Quebec; the Petition of the Right Reverend the Bishop of Tloa, and others, Members of the Société Ecclésiastique of St. Michel; and the Petition of the Honorable A.N. Morin and others, of the City of Quebec, be referred to the Standing Committee on Standing Orders.

The Honorable Mr. LaTerrière, from the Standing Committee on Standing Orders, presented to the House the Third Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of François Daigle and Alexis Dufresne, and find that all the Notices required by the Rules have been given.

With respect to the Petition of Allan Macdonell and others, for authority to construct a Canal around the Sault Ste. Marie, the locality in question being beyond the settled parts of the Province, is not within the limits of any County, and it has been consequently impossible to comply with the Rule requiring Notice in a local paper; but Your Committee would submit, that in this and all similar cases, a Notice in the Official Gazette should be accounted sufficient.

On the two Petitions of J.O. Bouchier and others, praying that the Township of Georgina may be disunited from the County of Ontario and annexed to the County of York, Your Committee have ascertained that no Notice has been published.

Ordered, That the Return relative to the Court of Chancery of Upper Canada, which was presented yesterday, be printed for the use of the Members of this House.

The Honorable Mr. Young, one of Her Majesty's Executive Council, presented, pursuant to the directions of several Acts of the Provincial Parliament,--Report of the Commissioners of Public Works, for the year 1851.

For the said Report, see Appendix (Q.)

On motion of the Honorable Mr. Chabot, seconded by Mr. Laurin,

Resolved, That the time for receiving Private Bills and Reports thereon, and Petitions for Private Bills, be extended for thirty days beyond the time within which the same are now limited respectively.

MR. MACKENZIE¹ moved for leave to bring in a bill for taking and recording the votes of members of the Legislature on the final passing of bills. He considered such a check upon the votes of members necessary, and as a check upon midnight legislation.²

SIR A. MACNAB said that any two members by a rule of the House might call for the yeas and nays upon any measure.³

A conversational discussion arose⁴.

MR. MACKENZIE alleged that the Trust and Loan Company bill was passed at midnight when there was not a quorum, or hardly a quorum in the house.⁵

MR. J.A. MACDONALD, of Kingston, said in answer, that the hon. gentleman had not only stated what was untrue, but what he knew to be untrue, as the circumstances of the passing of that bill had been explained to him in the last parliament. So far from being passed at midnight, it was passed at a morning session when the house was full, and upward of forty different subjects were taken up afterwards, as the hon. member proved by reading a list from the minutes.⁶

Motion granted.⁷

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Ordered, That Mr. Mackenzie have leave to bring in a Bill for taking and recording the Votes of Members of the Legislature on the final passage of Bills.

He accordingly presented the said Bill to the House, and the same was received

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and read for the first time; and ordered to be read a second time on Wednesday the fifteenth day of September next.

On motion of the Honorable Mr. Merritt, seconded by Sir Allan N. MacNab,

Resolved, That this House will, on Wednesday next, resolve itself into a Committee to take into consideration a certain Resolution whereon to adopt an humble Address to Her Most Gracious Majesty, praying that She may be pleased to order the distribution of Medals to the survivors who served in either of the various Battles in resisting the several Invasions of Canada during the Campaigns of 1812, 1813, and 1814.

Ordered, That Mr. Laurin have leave to bring in a Bill to amend the Act providing for the summary trial of Small Causes in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Resolved, That a Select Committee, composed of the Honorable Mr. Chabot, the Honorable Mr. Morin, Sir Allan N. MacNab, Mr. Christie of Gaspé, the Honorable Mr. Papineau, the Honorable Mr. Macdonald, and Mr. Prince, be appointed to revise the Rules of this House, and to consider and devise means calculated to expedite the performance of its duties, and to report thereon with all convenient speed.

On motion of Mr. Christie of Wentworth, seconded by Mr. White,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency may be pleased to transmit to this House, copies of all Correspondence which may have taken place between Her Majesty's Government in Canada, or any Member thereof, and the Imperial Government, on the subject of the Clergy Reserves since the 1st June, 1851.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Burnham have leave to bring in a Bill to confer certain powers on Municipal Corporations and Companies to take materials to repair Roads.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Resolved, That a Select Committee, composed of Sir Allan N. MacNab, the Honorable Mr. Papineau, the Honorable Mr. Morin, the Honorable Mr. Macdonald, the Honorable Mr. Badgley, Mr. Solicitor General Chauveau, and Mr. Cauchon, be appointed to assist Mr. Speaker in the direction of the Library of Parliament so far as the interests of this House are concerned, and to act on behalf of this House as Members of a Joint Committee of both Houses for the regulation and management of the Library.

Resolved, That a Message be sent to the Honorable the Legislative Council, communicating to their Honors a copy of the foregoing Resolution appointing certain Members to act on behalf of this House as Members of a Joint Committee of both Houses for the direction of the Library of Parliament; and requesting their Honors to appoint Members of their Honorable Body to unite with the Members of this House therein named, for the said purpose.

Ordered, That the Honorable Mr. Badgley do carry the said Message to the Legislative Council.

MR. ROBINSON⁸ moved for leave to introduce a bill to Incorporate a Company to construct a Canal at Sault Ste. Marie. He made a few remarks but they were inaudible in the gallery.⁹

MR. MACKENZIE objected to the motion, on the ground as we understood, that such work should not be given to a few individuals.¹⁰

MR. COM. PUB. WORKS YOUNG was also nearly inaudible, but he was understood to say, that the government wanted to see the action which would be taken by the American government.¹¹

Some remarks [came] from other members,¹² [including] MESSRS. ROBINSON [and] MACKENZIE, COL. PRINCE, SIR A. MACNAB [and] MESSRS. PAPINEAU, BROWN and MERRITT, [who] all spoke warmly in favour of the work being immediately undertaken by Government.¹³

MR. INSP. GEN. HINCKS said that the Government had caused a survey to be made and that the report had only just come in. They had understood that the Americans intended to build a canal on their side; and he believed that Congress had appropriated a quantity of public lands to aid in the construction of the work. If they did build a canal on their own side he did not see that it would be necessary to build one on the British side, as two canals could not be expected to pay; and he did not say in that case that the Government would not be willing to give a charter to a company with proper restrictions.¹⁴

MR. PAPINEAU shewed the great importance of the work and contended that the report alluded [to] by Mr. Hincks should be laid before the House.¹⁵

MR. BROWN said as he understood, the American Congress had appropriated 500,000 acres for building this Canal, but he did not think it would be gone on with immediately. He differed from the government, and thought the matter demanded immediate attention. He believed if the Canadian canal was constructed the American one would not; and he thought, that if we struck in now, we might prevent the American canal from being built. He dilated on the immense importance of the canal, in view of the immense country on the north of Lake Superior, which must soon become thickly settled.¹⁶

MR. MERRITT contended in favour of a canal to connect Lake Champlain with the St. Lawrence. With such a canal flour might be carried to New York cheaper than by the Erie canal, and Canada in consequence would gain an immense revenue from tolls.¹⁷

Motion carried.¹⁸

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Ordered, That the Honorable Mr. Robinson have leave to bring in a Bill to incorporate a Company to construct a Ship Canal at Sault Ste. Marie.

(80)

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the fifteenth instant.

The matter was deferred for two weeks for the decision of the Ministry.¹⁹

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The Order of the day for the third reading of the Bill to provide efficient remedy against any inconveniences which may result from the destruction of certain Registers of the Parish of St. Louis de Lotbinière, being read;

Ordered, That the Bill be read the third time to-morrow.

The Order of the day for the second reading of the Bill to regulate the business of Stevedore in the Port of Quebec, being read;

Ordered, That the Bill be read a second time on Wednesday next.

The Order of the day for the second reading of the Bill to amend the Act incorporating the Bar of Lower Canada being read;²⁰

MR. CAUCHON moved the second reading of the bill to amend the Act incorporating the Bar of Lower Canada.²¹

Some conversation took place on this motion which ended in the bill being read a second time and referred to a special committee, and that it be an instruction to the said committee to extend the provisions of the bill to another act making provision for the reporting of judicial proceedings in Lower Canada.²²

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The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Cauchon, Mr. Lemieux, Mr. Cartier, the Honorable Mr. Badgley, and Mr. Polette, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That it be an Instruction to the said Committee, to extend the provisions of the said Bill to a certain Act now in force in that part of this Province, called Lower Canada, imposing a tax on Advocates for certain purposes.

*Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Seymour,
The House adjourned.*

[QUESTION AND ANSWER RE: BY-LAWS OF THE DISTRICT COUNCILS.]²³

MR. LANGTON²⁴ [OR] MR. MCLACHLIN²⁵ inquired of Government whether they intended to introduce a general bill to remove doubts as to the formality of By-laws of the late District Councils²⁶ in C.W.²⁷.

MR. AT. GEN. RICHARDS was understood to say in answer ... that it is the intention of the ministry to bring in [such] a Bill²⁸. [OR] The Attorney General replied that the Government had not considered the matter, but he would suggest that all the petitions on this subject should be referred to a select Committee, from which some general measure might emanate.²⁹

[QUESTION AND ANSWER RE: ORGANIZATION OF A NEW DEPARTMENT OF AGRICULTURE AND STATISTICS.]³⁰

MR. CHABOT enquired of the ministry, whether the new Department of Agriculture and Statistics, so long talked of, has been permanently organized, or is in a way to be so shortly, and what is the number of its officers?³¹

MR. INSP. GEN. HINCKS stated that the matter had been alluded to in the speech from the throne, and³² that ministers would shortly submit to Parliament a measure for organizing the new department³³. When the government brought forward their proposed measure it would be quite time enough to give information respecting it.³⁴

[QUESTIONS AND ANSWER RE: RETRENCHMENT, PUBLIC EXPENDITURES, MAINE LIQUOR LAW, COURT OF IMPEACHMENT, ELECTIVE LEGISLATIVE COUNCIL, APPOINTMENT OF COUNTY OFFICERS, INDEPENDENCE OF MEMBERS, PUBLIC PROSECUTORS, CALLING OF PARLIAMENT, SECULARIZATION OF CLERGY RESERVES, QUEEN'S PRINTER, AND REDUCTION OF DUTIES LEVIED ON TEA AND SUGAR.]³⁵

MR. BOULTON put the following questions to the Ministry.

Firstly,--Whether they are prepared to submit to, or intend laying before the House at an early day, a detailed Statement, shewing what retrenchment they consider can be effected in the Provincial Expenditure, without impairing the efficiency of the Public Service?

Secondly,--Whether the Government intends submitting to this House any scheme or measure to prevent in future any expenditure without the sanction of the Legislature, by providing that no warrant shall be signed, issued, or addressed to the Receiver General, or any other public functionary, for the payment of any sum of money whatever, out of the public revenue of this Province, unless the amount and purpose of such payment shall have previously been authorized by Legislative enactment, to be named and expressed in the body of each Warrant as the authority for issuing the same; and to prevent any contract being entered into, or authority given by any member of the government, or other public officer in this Province, involving the expenditure of public money, unless authorized by an express Act of Parliament of this Province so to do, and to provide that no pension should be hereafter granted, or paid to any public functionary, until in each particular case an Act of the Parliament of this Province shall be passed determining the amount thereof, and the period when such pension should commence, and to which the same should continue to be paid, and also to provide that no public functionary, officer, clerk or other person shall be employed in any public duty, office or employment, or receive any emolument for the performance of any public duty or service, until the office, duty, or employment shall have been created, or authorized by an Act of Legislature, expressing in general terms the duties of each officer and the services which he shall be required to discharge, or the office in which each subordinate shall be intended to be employed, such regula-

tions not to extend to the appointment or duties of the Governor General, nor to the expenditure of any sum granted by the Legislature for unforeseen, casual, or contingent expenses to be accounted for at the ensuing Session of Parliament?

Thirdly,--Whether the Bill to be introduced by the President of the Council,³⁶ Malcolm Cameron³⁷, of which he has given notice for introducing into this Province what is commonly known as the Maine Liquor Law, has the sanction and support of the Government?

Fourthly,--Whether they intend to submit to this Legislature any measure to establish or provide a Court of impeachment in this Province?

Fifthly,--Whether they intend taking effective steps at once for securing in a greater degree the confidence of the people in the Legislative Council by making that body elective, or limiting the number of Members?

Sixthly,--Whether they intend introducing any measure for securing to the County Councils of Upper Canada, the nomination and appointment of all County Officers, with or without the sanction of Government to such appointment, when made?

Seventhly,--Whether they intend introducing any measure this Session, for securing the independent action of the Representatives of the people in the Legislature, by providing that the patronage of the Crown and the expenditure of the Provincial Revenue by the Administration of the day, shall not be used for the purpose of controlling or³⁸ influencing elections³⁹ [or] in any wise interfering with the independent action of the Members of the Legislature?

Eighthly,--Whether they intend to abolish the offices of Solicitors General, substituting therefor resident Public Prosecutors in each County of Canada, or otherwise?

Ninthly,--Whether they intend introducing any measure this Session to fix the time for the sitting of Parliament, reserving to the Executive Government the power of summoning an extra Session when any public emergency might render it necessary or otherwise?

Tenthly,--Whether in the event of the Imperial Act, granting to the Legislature of this Province the final settlement and disposal of the Clergy Reserves, the Administration are prepared to introduce a Bill for their secularization?

Eleventhly,--Whether the Government intend abolishing the office of Queen's Printer, and substituting a cheaper and more efficient mode of communicating to the public such information as is now usually conveyed through the Provincial Gazette?

Twelfthly,--Whether, in consequence of the great increase in the population, wealth, prosperity and revenue of the Province, the Government intend recommending to Parliament such a reduction of the duties now levied on Teas and Sugars, as will place within the reach of the Agricultural and Laboring classes, those almost indispensable necessities of life at such reduced prices as the state of the Treasury will warrant?⁴⁰

MR. INSP. GEN. HINCKS stated that the only answer that would be given was, that the hon. member would find from the speech from the throne, and the measures introduced by the ministry, the policy they intended to pursue.⁴¹

MR. BOULTON put his questions seriatim amid the laughter of the House, as the ministry refused any other answer than the general one above given.⁴²

FOOTNOTES: 1 September 1852.

1. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 2 September 1852, QUEBEC GAZETTE, 3 September 1852, PILOT, 4 September 1852, MONTREAL GAZETTE, 4 September 1852, BRITISH COLONIST, 7 September 1852, HAMILTON SPECTATOR DAILY, 7 September 1852, HAMILTON GAZETTE, 9 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, and NIAGARA MAIL, 15 September 1852; MONTREAL GAZETTE, 2 September 1852, BRITISH WHIG, 2 September 1852, BRITISH COLONIST, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, and NIAGARA MAIL, 8 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 7 September 1852 (in a separate account), and HAMILTON SPECTATOR WEEKLY, 9 September 1852 (in a separate account).
2. MORNING CHRONICLE, 2 September 1852.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 2 September 1852, QUEBEC GAZETTE, 3 September 1852, MONTREAL GAZETTE, 4 September 1852, PILOT, 4 September 1852, BRITISH COLONIST, 7 September 1852, HAMILTON SPECTATOR DAILY, 7 September 1852, HAMILTON GAZETTE, 9 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852. The following papers noted the debate in identical accounts: BRITISH WHIG, 2 September 1852, MONTREAL GAZETTE, 2 September 1852, BRITISH COLONIST, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, and NIAGARA MAIL, 8 September 1852; HAMILTON SPECTATOR DAILY, 2 September 1852 (in a second separate account), and HAMILTON SPECTATOR WEEKLY, 9 September 1852; HAMILTON SPECTATOR DAILY, 7 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852 (in a third separate account). The debate was also reported by GLOBE, 7 September 1852, which contained the following commentary: "A very interesting discussion took place ... in reference to this work. The engineers who were sent to survey the ground have reported favourably; but the Government have not determined to proceed with it. It is clear that the Lower Canadians are opposed to it, and that Mr. Hincks wishes to shove the matter off until the Americans have their canal under way, when he will say he was quite in favour of the canal, and would have gladly aided it,--but there is no use of two canals!"
9. MORNING CHRONICLE, 2 September 1852.
10. IBID.
11. IBID.
12. IBID.
13. GLOBE, 7 September 1852.
14. MORNING CHRONICLE, 2 September 1852.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. GLOBE, 7 September 1852.
20. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 2 September 1852, QUEBEC GAZETTE, 3 September 1852, MONTREAL GAZETTE, 4 September 1852, PILOT, 4 September 1852, HAMILTON SPECTATOR DAILY, 7 September 1852, HAMILTON GAZETTE, 9 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852.
21. MORNING CHRONICLE, 2 September 1852.
22. IBID.

23. The following papers reported this question and answer in identical accounts: MONTREAL GAZETTE, 2 September 1852, BRITISH WHIG, 2 September 1852, BRITISH COLONIST, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, and NIAGARA MAIL, 8 September 1852; MORNING CHRONICLE, 2 September 1852, HAMILTON SPECTATOR DAILY, 7 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852; HAMILTON SPECTATOR DAILY, 2 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852 (in a separate account). The question and answer were also reported by GLOBE, 7 September 1852.
24. GLOBE, 7 September 1852.
25. HAMILTON SPECTATOR DAILY, 2 September 1852.
26. GLOBE, 7 September 1852.
27. HAMILTON GAZETTE, 6 September 1852.
28. MORNING CHRONICLE, 2 September 1852.
29. GLOBE, 7 September 1852.
30. The following papers reported this question and answer in identical accounts: HAMILTON SPECTATOR DAILY, 2 September 1852, PILOT, 2 September 1852, MONTREAL GAZETTE, 2 September 1852, BRITISH WHIG, 2 September 1852. BRITISH COLONIST, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, NIAGARA MAIL, 8 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, and BATHURST COURIER, 10 September 1852; MORNING CHRONICLE, 2 September 1852, HAMILTON SPECTATOR DAILY, 7 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852 (in a separate account).
31. MORNING CHRONICLE, 2 September 1852.
32. IBID.
33. HAMILTON GAZETTE, 2 September 1852.
34. MORNING CHRONICLE, 2 September 1852.
35. The following papers reported these questions in identical accounts: HAMILTON SPECTATOR DAILY, 2 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852. The following papers reported the questions in partially identical accounts: MORNING CHRONICLE, 2 September 1852, QUEBEC GAZETTE, 3 September 1852, MONTREAL GAZETTE, 4 September 1852, HAMILTON SPECTATOR DAILY, 7 September 1852, BRITISH COLONIST, 7 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852 (in a separate account), HAMILTON GAZETTE, 9 September 1852, and NIAGARA MAIL, 13 September 1852; MONTREAL GAZETTE, 2 September 1852, BRITISH WHIG, 2 September 1852, BRITISH COLONIST, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, and NIAGARA MAIL, 8 September 1852.
36. MORNING CHRONICLE, 2 September 1852.
37. HAMILTON SPECTATOR DAILY, 2 September 1852.
38. MORNING CHRONICLE, 2 September 1852.
39. HAMILTON SPECTATOR DAILY, 2 September 1852.
40. MORNING CHRONICLE, 2 September 1852.
41. IBID.
42. IBID.

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THE following Petitions were severally brought up, and laid on the table:--

By Mr. Egan,--The Petition of George W. Cameron and others, Sons of Temperance, and others, of the Township of Lochaber.

By Mr. McDonald of Cornwall,--The Petition of the Municipal Council of the United Counties of Stormont, Dundas, and Glenary.

By the Honorable Mr. Badgley,--The Petition of F.C.T. Arnoldi, Esquire, M.D., and others, Lecturers in the St. Lawrence School of Medicine of Montreal.

By Mr. Valois,--The Petition of Hypolite Valiquette and others, of the Parish of St. Joachim de la Pointe Claire, County of Montreal; and the Petition of Joseph Daout and others, of the Parishes of Lachine and Pointe Claire, County of Montreal.

By Mr. Christie of Wentworth,--The Petition of Henry Moyle, Esquire, of the Township of Brantford, County of Brant.

By Mr. Street,--The Petition of James F. Bradshaw, of the City of Quebec, Esquire, Manager of the Bank of Upper Canada.

By Mr. White,--The Petition of the Municipality of the Township of Nelson.

By the Honorable Mr. Cameron,--The Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton; and the Petition of John Corbitt and others, of the Townships of Biddulph and McGillivray, County of Huron.

By Mr. Wright of the East Riding of York,--The Petition of Richard J. Doyle and others, of Oshawa and its vicinity; the Petition of T. Bickle and others, of

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the Township of Markham and other places; and the Petition of William Pogue and others, of Richmond Hill and vicinity.

By Mr. Brown,--Two Petitions of the Municipality of the Township of Sarnia; and the Petition of the Municipality of the Township of Chatham.

By Mr. Stuart,--The Petition of Murdoch Mackenzie, of the City of Quebec; Sergeant in the late 103rd Regiment; and the Petition of Mrs. M.H. Mountain and others, the Ladies Managers of the Male Orphan Asylum of Quebec in connexion with the Church of England.

Pursuant to the Order of the day, the following Petitions were read:--

Of Colonel Gordon Higgins of the Royal Artillery, President of the Canada Military Asylum, and others, members of the acting Committee thereof; praying for an Act of Incorporation to promote the object of the said Asylum.

Of Alexander Wilson and others, of the Township of Onslow; praying that a new Survey be made of the sixth and seventh lines of the said Township.

Of the Municipality of the Township of Orillia; of the Reverend John McMurray and others, Office-Bearers of the Free Presbyterian Congregation, Brockville; of Norman Macdonald and others, of the Town of Brockville; of John Farnsworth and others, Members of the Canadian Wesleyan Methodist New Connexion Church; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of the Municipality of the Township of Mono; praying that the said Township may be attached to the United Counties of York and Peel.

Of Charles C. Small, of the City of Toronto, Esquire; praying for the passing of an Act to confirm the travelled Road through his Lots Nos. 34 and 33, third Range of the Township of Pickering, and to vest in him, in lieu thereof, the original Road allowance west of the said Lots.

Of Charles C. Small, of the City of Toronto, Esquire; praying for the payment of certain arrears of salary alleged to be due him as Clerk of the Crown and Common Pleas for the Province of Upper Canada.

Of Thomas P. Cooper and others, of the Township of St. Vincent; praying aid

for the construction of a Pier or Wharf at the Village of Meaford, in the said Township.

Of Robert M. Boucher and others, of the Townships of Cramahé and Haldimand, County of Northumberland; praying that the first six Lots from the front to the rear of the said Township of Haldimand may be annexed to the said Township of Cramahé.

Of the Provisional Municipal Council of the County of Brant and of the United Counties of Wentworth, Halton, and Brant; praying that the improvement of the navigation of the Grand River may be assumed by the Government as a Provincial work.

Of Alexander Brander and others, of the Township of Ancaster, County of Wentworth; of A. Huntingdon, Esquire, Mayor, and others, of the Town of Brantford; of Margaret Henderson and others, daughters of Temperance, and others, of the Township of Ancaster, County of Wentworth; of John McKenzie and others, of Glenmorris and vicinity; of Jacob J. Merkley and others, of the County of Dundas; of Abraham Bockus and others, of the Township of Osnabruck; and of Jonathan Gundry and others, of the Town of Simcoe; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of Henry Lemmon and others, of the Town of Brantford; praying for the passing of an Act to prohibit the payment, to mechanics and labourers, of wages in goods, or otherwise than in the current coin of the Province.

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Of A. Kirkland, President, on behalf of the Mechanics' Institute of Brantford; praying aid in behalf thereof.

Of the President and Directors of the Grand River Navigation Company; praying that the said undertaking may be assumed by the Government as a Provincial work.

Of Cyprien Sauvé and others, Censitaires, of the Parish of Vaudreuil, County of Vaudreuil; and of Garnino Poirier and others, Censitaires of the Seigniority of Rigaud; praying for the passing of an Act to remedy certain abuses arising out of the Seigniorial Tenure in Lower Canada.

Of V. Guillet, Esquire, and others, of the Parish and Town of Three Rivers; praying for the passing of an Act to facilitate the administration of the new Diocese of Three Rivers by the Bishop thereof.

Of Daniel McDonald and others, of the Townships of Yonge and Escott, United Counties of Leeds and Grenville; praying that the said Townships may be divided by a line running east and west along the 5th and 6th Concession lines of Yonge, and the 6th and 7th of Escott, and that the two fronts be annexed, as also the two rears, forming thus a front and a rear Township out of the said two Townships.

Of the Municipal Council of the Town of Port Hope; praying for the passing of an Act to vest the rights and interests of the Port Hope Harbour and Wharf Company in certain Commissioners named for that purpose by the said Municipal Council.

Of the Reverend George S. Derome and others, of the Parish of St. Casimir, County of Portneuf; praying aid to construct a Bridge over the River Ste. Anne, in the said Parish.

Of the Reverend Augustin Milette and others, of the Parishes of St. Augustin and Pointe aux Trembles, and other places; praying aid to macadamize the Church Road of the said Parish.

Of the Carouge Pier and Wharf Company; praying for a special Act of Incorporation.

Of George Jirriac and others, of the Parishes of Ste. Catherine and St. Raymond, County of Portneuf; praying aid to open a Road between the said Parishes, and to construct a Bridge over the outlet of Lake Sergent.

Of the Corporation of the Montreal Protestant Orphan Asylum; praying aid in behalf thereof.

Of Mrs. Margaret Lunn and others, the Directresses and Lady Managers of the University Lying-in Hospital, Montreal; praying aid in behalf of the said Institu-

tion.

Of John Strachan, of the Town of Goderich, in the United Counties of Huron, Perth, and Bruce, Esquire; setting forth: That an Election was held at Clinton, in the United Counties of Huron, Perth, and Bruce, on the twelfth day of May, in the year of our Lord one thousand eight hundred and fifty-two, for the purpose of electing a Member of Parliament to represent the said United Counties in Provincial Parliament for the present Parliament: That at the said Election, the Honorable Malcolm Cameron was declared by the Returning Officer, John McDonald, Esquire, as duly elected, and was returned by him as the Member chosen at the said Election to represent the said United Counties in the said Parliament: That the Petitioner and others, at the time of the said Election, entered a protest against the said Election and the Return of the said Malcolm Cameron, which protest was not entertained or acted upon by the said Returning Officer: That the Petitioner was at the time of the said Election, and still is, a resident freeholder in the said United Counties, and had a right to vote at the said Election: That the said Election was and is void, and the Return of the Honorable Malcolm Cameron as aforesaid, illegal and unconstitutional, on the grounds and for the reasons that the Writ of Election under which the said Election was held, was issued by the Clerk of the

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Crown in Chancery without sufficient authority, because such Writ was not issued under the Warrant of the Speaker of the House, there being then no Speaker of the House; nor was such Writ issued under the Warrant of two Members of the House who had taken the Oath required by law, and because the Warrant under which the said Writ was issued was and is illegal and void, because made and executed and delivered to the Clerk of the Crown in Chancery in the interval between two Parliaments and not in the interval between two Sessions of the same or one Parliament, without any provision by law for the making of such Warrant between two Parliaments, and because at the time the said Writ of Election was issued, there was and were no person or persons lawfully competent to authorize the issuing of the said Writ of Election: That the said Election was void also on the ground that previous thereto the said Malcolm Cameron had been returned as duly elected at an Election held under lawful authority, to serve as a Member of Parliament for the said Counties in the same Parliament for which he was so returned at the Election first above mentioned, and that the said Malcolm Cameron did not and could not legally resign or vacate his seat, nor could such seat be legally vacated before the expiration of the first fifteen days of the Session of Parliament next after such Election; and also on the ground that the said first Election was contested and protested against, and such contest has not yet been decided, and he could not legally or constitutionally before such contest was decided, resign or vacate his seat in the said Parliament, by acceptance of office or otherwise: That the Petitioner is therefore aggrieved by the said Election and the Return of the said Malcolm Cameron as the Member chosen thereat to represent the said United Counties of Huron, Perth, and Bruce, may be declared void, and such other relief granted as to the House shall seem fitting and expedient.

Of Neh. Ford and others, of the Grand River and its vicinity; praying that a Commission be appointed to inquire into certain grievances connected with the ejectment of Settlers on Indian Lands in the Townships of Oneida and Tuscarora.

Of the Hamilton Gas Light Company; praying for certain amendments to the Act incorporating the said Company.

Of the President and Directors of the Pickering Harbour and Road Joint Stock Company; praying for an Act specially to incorporate the said Company.

Of the Woodstock and Lake Erie Railway and Harbour Company; praying for the passing of an Act to extend and amend the Charter and to increase the Capital Stock of the said Company.

Of John Gilbert, of the Township of Wainfleet; praying for a grant of land in

consideration of his long and active service in Her Majesty's Navy.

Of the Municipal Council of the Municipality Number one, of the County of Rimouski; praying aid to reconstruct the Bridge over the River of the Parish of L'Isle Verte.

Of the Municipal Council of the Municipality Number one, of the County of Rimouski; praying aid to rebuild the Bridge across the River des Trois Pistoles.

Of Jacques Viger, Esquire, President, and the Reverend A.F. Truteau, Secretary, on behalf of the Association of the School of St. Jacques, Montreal; praying for aid in behalf of the said Institution.

Of J.S. Vallée, Esquire, and others, of the Parish of St. Thomas, County of L'Islet; praying aid to open a Road and construct a Bridge in the Township of Monmini.

Of Robert Adamson, Chairman, and John Irvine, Secretary, on behalf of a meeting of the Inhabitants of the Township of Lobo, County of Middlesex; praying that

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the Clergy Reserves may be secularized, the Rectories abolished, and the separate School system repealed.

Of the Reverend Joseph S. Raymond, Superior of the College of St. Hyacinthe; praying aid in behalf of the said College.

Of Damase Dufour and others, of the County of Saguenay; praying that in the adoption of such measures as may be deemed expedient to settle the Seigniorial question of Lower Canada, the interests of the Censitaires may be duly protected.

Of James Wilson and others, of the Township of Frampton and adjacent parts, County of Dorchester; praying aid for the construction of Roads and Bridges in the said Township.

Of Pierre Gamelin, Clerk of the late Municipal Council of the District of St. John's; praying payment of his claim for the services rendered by him in the said capacity.

Of George J. Ryerse and others, of the Township of Woodhouse, County of Norfolk; praying for the passing of an Act to enable them, as heirs and devisees of the late Samuel Ryerse of the same place, to make perfect titles to the lands so devised unto them.

Of the Municipal Council of the United Counties of Middlesex and Elgin; praying for the passing of an Act to enable them to dispose of certain lots of land in the Town of London, and to purchase other land in lieu thereof for the purpose of holding free Fairs, according to the intention of the original grant.

Of the City of Toronto Gas Light and Water Company; praying for the amendment of their Act of Incorporation.

Of Miss Eliza Taylor, Secretary, on behalf of the Committee of Ladies conducting the Protestant Female Orphan Asylum at Quebec; praying aid in behalf of the said Institution.

Of Patrick Brennan and others, Manufacturers of Pot and Pearl Ashes, of the Province of Canada; praying certain amendments to the Act regulating the inspection of Pot and Pearl Ashes.

Of Thomas Simard and others, Pilots for and below the Port of Quebec; of Cornelius O'Sullivan and others, of the City of Quebec; and of Thomas C. Lee and others interested in the Shipping in the Port of Quebec; praying the repeal of the Act for regulating the shipping of Seamen at the Port of Quebec.

Of Joseph E. LeBlanc, of the Parish of St. Charles, District of Montreal, Esquire, Notary; praying compensation for his services as Clerk of the Council of the late Municipal District of Richelieu.

Of Flavien Vallerand, of the City of Quebec; praying compensation for his services as Clerk of the Council of the late Municipal District of Richelieu.

Of S.S. Foster, President, and others, Directors of the Shefford Academy; praying aid in behalf of the said Academy.

Mr. Speaker acquainted the House, That his Warrant for the appointment of Members to serve on the General Committee of Elections, was upon the Table:--And the said Warrant was read, as followeth:--

Pursuant to "The Election Petitions Act of 1851," I do hereby appoint the Honorable Jean Chabot, Member for the County of Bellechasse; the Honorable John Alexander Macdonald, Member for the City of Kingston; David Christie, Esquire, Member for the County of Wentworth; George Percival Ridout, Esquire, Member for the City of Toronto; Antoine Polette, Esquire, Member for the Town of Three Rivers; and John Sewall Sanborn, Esquire, Member for the County of Sherbrooke, to be Members of the General Committee of Elections for the present Session.

Given under my hand, this second day of September, 1852.

J.S. Macdonald, Speaker.

Ordered, That the said Warrant be printed.

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Pursuant to the 45th Section of "The Election Petitions Act of 1851," the Clerk read over an Alphabetical List of the Names of all the Members of the House.

Ordered, That the Petition of Charles C. Small, of Toronto, Esquire, relative to a Road allowance, and the Petition of the President and Directors of the Pickering Harbour and Road Joint Stock Company, be referred to the Standing Committee on Standing Orders.

Ordered, That five hundred Copies of the Report of the Commissioners of Public Works for the year 1851, laid before the House yesterday, be printed in the English and French Languages, for the use of the Members of this House.

Ordered, That Mr. Prince have leave to bring in a Bill further to secure the independence of the Legislative Assembly, by prohibiting the Clergy of all Denominations from voting or interfering at Elections.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the Honorable Mr. Badgley have leave to bring in a Bill to improve the Law of Evidence in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Ordered, That the Honorable Mr. Badgley have leave to bring in a Bill to remove doubts regarding the right and liability of Foreign Executors, Administrators and Corporations to sue and be sued in Lower Canada, and for other purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

A Bill to provide efficient remedy against any inconveniences which may result from the destruction of certain Registers of the Parish of St. Louis de Lotbinière, was according to Order, read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to provide an efficient remedy against any inconveniences which might result from the destruction of certain Registers of the Parish of St. Louis de Lotbinière."

Ordered, That Mr. Laurin do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for taking into consideration the First Report of the Standing Committee on Printing, being read;

Ordered, That the said Report be now committed to a Committee of the whole.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Smith of Frontenac re-

ported, That the Committee had come to a Resolution; which was read, as followeth:--

Resolved, That in future, the Journals and Appendices, as also Sessional Papers, (Bills excepted,) be printed in Royal Octavo form, of the size of the Report on Trade and Navigation for 1851, with new Small Pica Type, without Marginal Notes, and with but two blank lines between the page heading and reading matter. The Yeas and Nays in the Journals to be in Long Primer, in four columns.

The said Resolution being read a second time, was agreed to.

The Order of the day for the second reading of the Bill to authorize the Montreal and New York Railroad Company to extend their Railroad, and to acquire the land necessary for such extension, and for other purposes relative to the

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said Company, being read;

The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Smith of Frontenac,

The House adjourned.

[NOTICE OF MOTION RE: RESOLUTIONS ON THE SUBJECT OF THE CLERGY RESERVES.]²

MR. INSP. GEN. HINCKS [gave] notice of several resolutions on the subject of the Clergy Reserves³, [viz.:]

1. Resolved,--That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John Packington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 and 4 Vic., cap. 78, Intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof."

2. Resolved,--That whatever difference of opinion may exist among the people of Canada as to the best mode of disposing of the revenues derived from the Lands known as Clergy Reserves, the great mass of the people will ever maintain the principle recognized by the Right Honorable the Earl Grey, then Her Majesty's Principal Secretary of State for the Colonies, in his Despatch of 27th January, 1851, to the Right Honorable the Earl of Elgin and Kincardine, that the question whether the existing arrangement "is to be maintained or altered is one so exclusively affecting the people of Canada, that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs to regulate all matters concerning the domestic interests of the Province."

3. Resolved,--That while the people of Canada are devotedly attached to Her Majesty's person and Government, and most anxious to maintain inviolate the connexion which binds them to the great Empire over which She rules, yet this House is bound by a high sense of duty to inform Her Majesty that the refusal on the part of the Imperial Parliament to comply with the just demand of the Representatives of the Canadian people on a matter exclusively affecting their own interests, will be viewed as a violation of their Constitutional rights, and will lead to deep and wide-spread dissatisfaction among Her Majesty's Canadian subjects.

4. Resolved,--That this House is well aware that attempts have been made to induce Her Majesty's Imperial Ministers to believe that the present Representatives of the people of Canada entertain opinions on the subject of the repeal of the Clergy Reserves Act, different from those expressed by the late Parliament.

5. Resolved,--That this House confidently hopes that when Her Majesty's Ministers shall be convinced that the opinions of the people of Canada and their Representatives on this subject are unaltered and unalterable, they will give consent to give effect to the promise made by their predecessors; and this House is confirmed in this hope by the suggestion in the Despatch of the Right Honourable Sir John Pakington, that Her Majesty's Ministers are prepared to recommend amendments to the Imperial Clergy Reserves Act, with a view to satisfy the wishes of the Canadian people.

6. Resolved,--That this House can scarcely doubt that, the principle of amending the present Act being admitted, Her Majesty's Ministers will yield to the strong feeling which pervades the Canadian people, that any new Legislative enactments regarding the Clergy Reserves, should be framed by their own Representatives, instead of by the Imperial Parliament, which seemed necessarily disappointed with the state of public opinion in Canada, cannot be expected to concur in a measure that will give permanent satisfaction to the inhabitants.

7. Resolved,--That this House desire[s] to ask Her Majesty, that in thus giving expression to the public opinion of the Country, it is actuated by the strongest feelings of loyalty to Her Majesty, and by a sincere desire to prevent those lamentable consequences which must be the result of a collision between the

Imperial and Provincial Parliaments, on a question on which very strong feelings are known to prevail among the people of this Province.⁴

[QUESTION AND ANSWER RE: PUBLIC SUPPORT OF SECTARIAN INSTITUTIONS.]⁵

MR. BOULTON inquired of Ministry, whether they intended contributing aid out of the Public Revenue for the support of Sectarian Institutions of learning, or for those of a benevolent character?⁶

MR. INSP. GEN. HINCKS would give no information.⁷ [He] replied, you will see when the estimates come down.⁸

FOOTNOTES: 2 SEPTEMBER 1852.

1. The House sat for only a few hours on this day, and little or no debate took place on the measures which were brought up. L'AVENIR, 8 September 1852, explained the brevity of the day's sitting as follows: "La chambre s'ajourna à cinq heures de l'après-midi pour permettre aux représentants du peuple d'aller déjeuner chez le gouverneur, à 6 heures du soir!"
2. The following papers reported this notice of motion in identical accounts: HAMILTON SPECTATOR DAILY, 8 September 1852, and HAMILTON SPECTATOR WEEKLY, 9 September 1852. The following papers reported the notice in partially identical accounts: HAMILTON SPECTATOR DAILY, 3 September 1852, MONTREAL GAZETTE, 4 September 1852, PILOT, 4 September 1852, HAMILTON GAZETTE, 6 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852 (in a separate account), BATHURST COURIER, 10, 17 September 1852, and OTTAWA CITIZEN, 11 September 1852.
3. HAMILTON SPECTATOR DAILY, 3 September 1852.
4. IBID., 8 September 1852.
5. The following papers reported this question and answer in identical accounts: MORNING CHRONICLE, 3 September 1852, QUEBEC GAZETTE, 3 September 1852, HAMILTON SPECTATOR DAILY, 8 September 1852, and HAMILTON GAZETTE, 9 September 1852; HAMILTON SPECTATOR DAILY, 3, 9 September 1852, PILOT, 3 September 1852, MONTREAL GAZETTE, 3 September 1852, HAMILTON GAZETTE, 6 September 1852, and BATHURST COURIER, 10 September 1852.
6. MORNING CHRONICLE, 3 September 1852.
7. HAMILTON SPECTATOR DAILY, 3 September 1852.
8. MORNING CHRONICLE, 3 September 1852.

FRIDAY, 3 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Statements of the Affairs of the Quebec Bank, to 31st July, 1852; of the Commercial Bank of the Midland District, to 31st August, 1852; of "La Banque du Peuple," to 1st September, 1852; of the Montreal City and District Savings Bank, to 1st January, 1852; of the Quebec Provident and Savings Bank, to 1st March, 1852; of the Northumberland and Durham Savings Bank, to 1st June, 1852; and of the Montreal Provident and Savings Bank, to 31st August, 1852.

For the said Statements, see Appendix (R.)

Also, Statements of the Affairs of the Champlain and St. Lawrence Railroad Company, to 31st December, 1851; and of the Guelph and Arthur Road Company, to 25th August, 1852.

For the said Statements, see Appendix (I.)

Also, Statement of the Real and Personal Estate held by the Mechanics' Institute of Montreal.

For the said Statement, see Appendix (E.)

And also, Reports of Agricultural Societies in Lower Canada, for 1851-52.

For the said Reports, see Appendix (S.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Mackenzie,--The Petition of George Arundel Hill, of the Township of Dummer, yeoman; and the Petition of Daniel Doran, of the Town of Peterborough, Cloth Manufacturer.

By Mr. Brown,--The Petition of the Municipality of the Township of Cramahé; and the Petition of the Reverend G.F. Playter and others, of Huntingdon and other Townships.

By Mr. Ridout,--The Petition of Messieurs Bryce, McMurrich and Company, and others, Merchants and Traders of the City of Toronto.

By Mr. Crawford,--The Petition of John Taylor and others, of Brockville, Manufacturers, and others.

By the Honorable Mr. Young,--The Petition of the Right Reverend the Roman Catholic Bishop of Montreal; the Petition of Sister Ste. Jeanne de Chantal and others, Sisters of Mercy, Directresses of L'Hospice de la Maternité de Montréal; and the Petition of the Montreal Ladies Benevolent Society.

By Mr. Wright of the East Riding of York,--The Petition of John Lightbody and others, of the Township of Markham; and the Petition of Thomas Fuyard and others, of the Township of Scarborough.

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By the Honorable Mr. Merritt,--The Petition of Francis M. Whitelaw and others, of the Town of Niagara; and the Petition of Mary Ann Watts and others, of the Town of Niagara.

By Mr. Wright of the West Riding of York,--The Petition of N.C.T. Cheltenham and others, of the Township of Chinguacousy.

By Mr. Paige,--The Petition of Frederick A. Cutter, of the Township of Sutton, and Richard Hutchinson, of the Township of Shefford, Physicians and Surgeons; and the Petition of John E. Bangs, of the Township of Stanbridge, Physician and Surgeon.

By Sir Allan N. MacNab,--The Petition of Sir Allan N. MacNab and others, of the City of Hamilton.

By Mr. Polette,--The Petition of the Reverend Samuel S. Wood, Chairman, and others, the Committee of Management of the Three Rivers Academy.

By Mr. Taché,--The Petition of Marcelle Michaud and others, of the Township of Whitworth, County of Rimouski.

By Mr. Hartman,--The Petition of Joseph Gould and others, of the Townships of

Uxbridge and Scott, County of Ontario; the Petition of Royford Coristine and others, of the Township of East Gwillimbury; and the Petition of Rowland Burr, Esquire.

By Mr. Dubord,--The Petition of Antoine Paquet and others, of the City of Quebec; the Petition of Messieurs Charles E. Levey and Company, and others, Shipbuilders, and others interested in the Trade of Quebec; and the Petition of John Ross, of the City of Quebec, Esquire.

By Mr. Stuart,--The Petition of J. Forbes and others, of the City of Quebec; the Petition of William Newell and others, of the City of Quebec, Traders and Petty Chapmen; and the Petition of the Reverend George Mackie, D.D. and others, the Committee of Management of the National Schools at Quebec.

By the Honorable Mr. Chabot,--The Petition of the Reverend N.C. Fortier and others, of the County of Bellechasse, and of the City of Quebec.

By Mr. Prince,--The Petition of Margaret Doherty and others, females, of the Town of Amherstburg; and the Petition of George Duncan and others, of the Town of Amherstburg and its vicinity.

By Mr. McDonald of Cornwall,--The Petition of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary.

By the Honorable Mr. Badgley,--The Petition of the Mayor, Aldermen and Citizens of the City of Montreal.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Municipal Council of the United Counties of Huron, Perth, and Bruce; praying that the Salaries of all County Officers may be placed under the control of the Municipal Councils.

Of the Municipal Council of the United Counties of Huron, Perth, and Bruce; praying that the Jurors Act of Upper Canada may be so amended as to reduce the Fees imposed thereby.

Of Samuel Barnard and others, of the Township of Cumberland; and of the Municipal Council of the United Counties of Essex and Lambton; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of the Town Council of the Town of Amherstburg; praying for the passing of an Act to authorize the said Council to sell or lease the present market site in the said Town, and to acquire another, and build thereon.

Of the Municipal Council of the United Counties of Huron, Perth, and Bruce; praying for the repeal of the Act requiring an annual appointment of County Constables, and that such appointments, and certain matters connected therewith, be left to the Magistrates in Quarter Sessions.

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Of the Industry Village and Rawdon Railroad Company; praying for certain amendments to the Act incorporating the said Company.

Of Thomas Ferguson and others, of the Township of Edwardsburgh, County of Grenville; praying for the repeal of so much of the Act 13 and 14 Vic. cap. 85, as affects the posts planted in the authorized Survey of the 8th Concession of the said Township, and that no change be made in the said posts.

Of the Mayor and Town Council of the Town of Cobourg; of the Reverend Charles Rollit and others, of the Township of Rawdon; of William Brown and others, of the United Counties of Lanark and Renfrew; of John C. Ball, Esquire, and others, of the Township of Niagara; and of the Reverend R.L. Tucker and others, of the County of Ontario; praying the adoption of measures for the abolition of all labor on the Lord's day in the Postal Department of the Public Service.

Of Thomas Bingley and others, of the Township of Haldimand; praying that the Bill petitioned for, to annex a part of the said Township to the Township of Cramahé, may not be granted.

Of Joshua Adams, Esquire, and others, of the United Counties of Lanark and Renfrew; praying for the construction of a Railway from the River St. Lawrence by

way of Smith's Falls and Perth to the Georgian Bay.

Of Donald Cameron, of the Township of Thorah; praying for the adoption of certain measures to obtain for him and his followers the issue of Deeds of Lands for which they have received Location Tickets.

Of Thomas Appleton, of the Township of King; praying payment of his claim for his proportion of the allowance for Schools, due since the year 1828.

Of the there-undersigned; setting forth: That at the last Election held in the month of December, in the year of our Lord one thousand eight hundred and fifty-one, for the City of Toronto, for two Members to represent the said City in the Provincial Assembly of Canada, William Henry Boulton, of the said City, Esquire, was a Candidate at the said Election, and was thereat declared elected and returned a Member for the said City to represent the same, and is now one of the sitting Members representing the said City of Toronto, in the City of Quebec, in the Legislative Assembly: That the said William Henry Boulton was, at the commencement of the said Election, duly required to make and give in his proper qualification: That the said William Henry Boulton professed to be duly qualified to be elected, and did make oath of his possession of the requisite amount of real estate as required by law: That at the said Election there were in all five Candidates for the representation of the said City, namely: the said William Henry Boulton, Henry Sherwood, George Percival Ridout, Terence J. O'Neil, and Frederick Chase Capreol, for whom votes were polled: That the said William Henry Boulton at the time of the said Election and of his Return as aforesaid, was not duly qualified to be elected or returned a Member to represent the City of Toronto in the Legislative Assembly: That the said William Henry Boulton, on or about the twenty-first day of November, in the year of our Lord one thousand eight hundred and fifty-one, made oath in a certain matter of complaint then pending in the Court of Queen's Bench, at the said City of Toronto, in which "William Walker, T.B. Anderson, John B. Forsyth, and William Forsyth Grant," were complainants, and the said William Henry Boulton, defendant, that "He the said William Henry Boulton was insolvent and unable to pay a certain sum of money or any part thereof due by him and mentioned in his affidavit filed in the said Court:" That at the said time of holding the said Election, the said William Henry Boulton was not duly qualified: That if the said William Henry Boulton was possessed of real estate at the time of holding the said Election, the Petitioners believe it was obtained collusively and colorably for the express purpose of qualifying and enabling him, the said William Henry Boulton, to be returned a Member of the Legislative Assembly: That the Petitioners had a right to vote and did vote at the said Election, and at the time of the said Election were and still are duly

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qualified to vote for two Members to represent the said City of Toronto in the Legislative Assembly; and praying that the House will cause an investigation of the premises, or take such other steps as the wisdom of the House shall direct, to declare the Election of the said William Henry Boulton void.

Of William Webster and others, of the Township of Escott, in the United Counties of Leeds and Grenville; praying that no alteration may be made in the boundary of the said Township.

Of Jacob Brown and others, of the Township of Osnabruck, County of Stormont; praying for compensation for damages done to their property by laborers and others engaged in the construction of the St. Lawrence Canals.

Of the Municipality of the Town or Borough of William Henry; praying for the passing of an Act to incorporate the said Town under the name of the Town of Sorel.

Of Eleazer Hays and others, Censitaires, of the Parish of Soulanges, County of Vaudreuil; praying the adoption of measures for defining the rights of Seigniors, and removing certain Seigniorial abuses.

Of the Municipal Council Number one, of the County of Drummond; praying for the establishment of Parish or Township Councils, in lieu of County Councils as now existing.

Of Hercule Bruneau and others, of the Parish of Maskinongé, County of St. Maurice; praying that no division be made of the Common of the said Parish as petitioned for.

Of Joseph Blais, of the Parish of St. Pierre, County of L'Islet; praying for the passing of an Act to enable Testamentary Executors to carry into effect certain dispositions included in last Wills and Testaments.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying the reimbursement of certain monies paid by them for the administration of Criminal Justice.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying that the Office of County Revenue Inspector be abolished, and the duties thereof transferred to the Town or Township Officers appointed by the Councils for that purpose.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying that an inquiry be made into the management of the Provincial Lunatic Asylum and the expenditure of the funds thereof, and that admission thereto be extended to non-paying Patients in cases of poverty.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying that the Jury Laws may be so amended as to reduce the expenses thereof.

Of Andrew Oliphant, of the Township of Stamford, County of Welland; praying for a pension, in consideration of severe injury sustained by him while serving in the Militia during the late Rebellion.

Of the Mayor and Town Council of Bytown; praying for the passing of an Act to incorporate the said Town under the name of the City of Ottawa.

Of the Mayor, Aldermen, and Commonalty of the City of Toronto; praying for the passing of an Act to authorize the said Corporation to raise a Loan upon the Debentures of the City, for the redemption of certain Notes and Debentures, and for other purposes.

Of the Mayor, Aldermen, and Commonalty of the City of Toronto; praying for certain amendments to the Municipal Corporations Act.

Of Antoine Monfet and others, of the Parish of Ste. Croix, County of Lotbinière; praying aid to complete the centre Road of the said Parish.

Of the Reverend P. Bedard and others, of the County of Lotbinière; praying aid to reconstruct the Gaspard Bridge in the said Parish.

Of the Reverend N.C. Fortier and others, School Commissioners, and others, of

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the Parish of St. Michel, County of Bellechasse; praying aid for the maintenance of the Academy of St. Michel.

Of André Bezeau, of the Township of Halifax, in the County of Megantic, Esquire, Trader and Justice of the Peace, Richard Charles Porter, of the Township of Ireland, in the said County, Trader and Postmaster, and William Brogan, of the said Township of Halifax, in the County aforesaid, Farmer and Agriculturist; setting forth: That under and in virtue of Her Majesty's Writ of Election, bearing date at the City of Quebec, on the sixth day of November, in the year one thousand eight hundred and fifty-one, issued for the election of a Member to represent the said County of Megantic in the Legislative Assembly of this Province, an Election was opened and begun in the Township of Leeds, in the said County, on the fifth day of December in the said year, being the nomination day for the said Election, by John R. Lambly, Esquire, Registrar of the first division of the said County, being and acting as the Returning Officer for the said Election: That at and before the day of the date of the said Writ of Election, and at and during the time of the said Election, the Petitioners were, and have since continued to be, and still are, Electors of and Voters for the said County, and as such had a right to vote and did vote at the said Election for a Member to serve in the Provincial Parliament for the said County of Megantic: That Dunbar Ross, of the said City of Quebec,

Esquire, Advocate, John Greaves Clapham, of the said City of Quebec, Esquire, and François Lemay Poudrier, of the Township of Somerset, in the said County of Megantic, Esquire, Land Surveyor, were severally Candidates at the said Election: That after the opening of the said Election and the observance of certain formalities required by law in that behalf, the said Dunbar Ross voluntarily made and delivered to the said Returning Officer the declaration in writing in that behalf by law required of him as such Candidate as aforesaid, and then and there on the said day of nomination, and before a Poll was demanded or granted, duly demanded and required of the said Returning Officer on their behalf, and the behalf of each of them, the declaration in writing by law required of them, and of each of them, as such Candidates as aforesaid; whereupon the said John Greaves Clapham made and delivered to the said Returning Officer a certain document in writing purporting to be such declaration, and the said François Lemay Poudrier thereupon also made and delivered to the said Returning Officer a certain other document in writing purporting to be such his declaration in that behalf: That by the Provincial Statute 12 Vic. cap. 27, sec. 49, it is amongst other things enacted, as follows:--"and when such declaration" (that is to say, the declaration required of a Candidate as aforesaid) "shall be so made by any Candidate, whether voluntarily or in consequence of his being thereunto so required as aforesaid, it shall be made either before the Returning Officer or before some Justice of the Peace, or the Mayor, or one of the Aldermen of some City or Town in this Province, and such Returning Officer, Justice of the Peace, Mayor, or Alderman shall take the same, and shall attest it by writing at the foot thereof the words "taken and acknowledged before me," or other words to the like effect, and by dating and signing such attestation; and any Candidate who shall deliver or cause to be delivered such declaration so made and attested to the Returning Officer at any time before the Proclamation made by him at the closing of the Election as above mentioned in this section, shall be deemed to have complied with the law to all intents and purposes as regards such declaration" and by section 48, of the same Statute, it is also amongst other things enacted, as follows, that is to say: "and any person who, in giving the description of such Lands or Tenements as above required," (namely, the description of Lands and Tenements required by the said Statute to be given and inserted at the foot of the declaration aforesaid) "shall knowingly and wilfully make any false statement

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relative to the situation, position, extent or bounds of such Lands or Tenements, shall be deemed guilty of a misdemeanor, and shall, on being duly convicted thereof, incur the same pains and penalties as may by law be inflicted on persons guilty of wilful and corrupt perjury:" That the said declaration in writing, so made and delivered by the said John Greaves Clapham as such Candidate as aforesaid to the said Returning Officer, was not made before the said Returning Officer, nor before any one of the said public functionaries by the said Statute appointed in that behalf; nor was the said declaration taken by the said Returning Officer, or any one of the said public functionaries, nor was the same attested by them, or any one of them, in the manner prescribed in and by the said Statute, nor otherwise howsoever; nor did the said John Greaves Clapham at any time before the Proclamation made by the said Returning Officer at the closing of the said Election, acknowledge the said document purporting to be such his declaration as aforesaid, nor cause the same to be taken and attested in the manner prescribed by the Statute aforesaid, nor otherwise howsoever; nor did he make and deliver to the said Returning Officer any other declaration conformable to the provisions of law in that behalf, nor other document in writing whatsoever as and for such declaration: That the Petitioners further aver, that at the time of the said Election, and long previously thereto, the said John Greaves Clapham was, and hence hitherto has been and still is notoriously insolvent, and unable to qualify himself as a Candidate for the representation of the said County in the Provincial Parliament, and that such insolvency and defect of qualification were, before and at and during the said Election, a matter

of notoriety in the said County, and among all the Electors thereof: That by reason of the premises, the said document in writing purporting to be the declaration of the said John Greaves Clapham, so duly required and demanded of him in manner aforesaid to be by him made in obedience to the requirements of law in that behalf before he could be elected, or be capable of being elected or returned a Member to represent the said County in the Legislative Assembly of this Province, was and is null and void, and of no effect whatever, as such declaration in law: That the said John Greaves Clapham having thus omitted and refused to make and deliver to the said Returning Officer, a declaration in writing, conformable to the requirements of law in that behalf, in order to render him capable of being elected as a Member to represent the said County in the Provincial Parliament, and so duly required and demanded of him as aforesaid, cannot be "deemed to have complied with the law," as enacted in and by the Statute in that behalf; but on the contrary thereof, the said John Greaves Clapham hath, to all intents and purposes as regards such declaration and such Election, utterly failed and neglected so to do, and so it ought to be deemed and held by the House; and that by reason thereof, all, each and every the votes of the Electors of the said County given and enregistered for and on behalf of the said John Greaves Clapham were and are void, and are in law, and ought to be by the House, deemed and considered as thrown away and of no effect whatever; and by reason thereof, also, the Indenture or Instrument in writing made and executed in that behalf by and before the said Returning Officer, and bearing date on the twentieth day of December in the year aforesaid, and the Return of the said John Greaves Clapham as such Member, by the said Returning Officer, to represent the said County as aforesaid, were and are, and each of them was and is null and void, and of no effect whatever, and so ought to be considered and held by the House: That the Petitioners do further aver, that on the day of the opening of the said Election, to wit, on the said fifth day of December in the year aforesaid, the said John Greaves Clapham was not, nor did he then and there, after being so duly required so to do as aforesaid, declare and testify, in conformity with the law in that behalf, that he was duly seized at law or in equity as of freehold for his own use and benefit, of Lands or Tenements held in free and common soccage, or duly seized or

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possessed for his own use and benefit, of Lands or Tenements held en fief or en roture in the Province of Canada, of the value of Five hundred pounds of sterling money of Great Britain, over and above all rents, mortgages, charges, and incumbrances charged upon or due and payable out of or affecting the same, and that he had not collusively or colorably obtained a title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling him to be returned a Member of the Legislative Assembly of the Province of Canada; and further, that the Lands and Tenements mentioned and described in the aforesaid document purporting to be such declaration in law as aforesaid, were not on the day last aforesaid, nor are they now, of the value of Five hundred pounds sterling money aforesaid, over and above all rents, mortgages, charges, and incumbrances charged upon or due and payable out of or affecting the same: That the Petitioners take leave also to shew, that the said declaration in writing so made and delivered by the said François Lemay Poudrier as such Candidate as aforesaid, to the said Returning Officer, was not made before the said Returning Officer, nor before any one of the said public functionaries by the said Statute appointed in that behalf; nor was the said declaration taken by the said Returning Officer, or any one of the said public functionaries, nor was the same attested by them, or any one of them, in the manner prescribed in and by the said Statute, or otherwise howsoever; nor did the said François Lemay Poudrier at any time before the Proclamation made by the said Returning Officer at the closing of the said Election, acknowledge the said document purporting to be such his declaration as aforesaid,

nor cause the same to be taken and attested in the manner prescribed by the Statute aforesaid, nor otherwise howsoever; nor did he make and deliver to the said Returning Officer any other declaration conformable to the provisions of law in that behalf, nor other document in writing whatsoever, as and for such declaration; and further, that at the time of the said Election, and long previously thereto, the said François Lemay Poudrier was, hence hitherto hath been, and still is notoriously insolvent, and unable to qualify himself as a Candidate for the representation of the said County in the Provincial Parliament, and that such insolvency and defect of qualification were before and at, and during the said Election, a matter of public notoriety in the said County and among all the Electors thereof: That by reason of the premises, the said document in writing purporting to be the declaration of the said François Lemay Poudrier, so duly required and demanded of him in manner aforesaid, to be by him made in obedience to the requirements of law in that behalf, before he could be elected, or be capable of being elected or returned a Member to represent the said County in the Legislative Assembly of this Province, was and is null and void, and of no effect whatever as such declaration in law: That the said François Lemay Poudrier having thus omitted and refused to make and deliver to the said Returning Officer a declaration in writing, conformable to the requirements of law in that behalf, in order to render him capable of being elected as a Member to represent the said County in the Provincial Parliament, and so duly required and demanded of him as aforesaid, cannot be deemed to have complied with the law as enacted in and by Statute in that behalf; but on the contrary thereof, the said François Lemay Poudrier hath, to all intents and purposes, as regards such declaration and such Election, utterly failed and neglected so to do, and so it ought to be deemed and held by the House; and that by reason thereof, all, each and every the votes of the Electors of the said County given and enregistered for and on behalf of the said François Lemay Poudrier were and are void, and are in law, and ought to be by the House, deemed and considered as thrown away and of no effect whatever: That the Petitioners further aver, that on the day of the opening of the said Election, to wit, on the said fifth day of December in the year aforesaid, the said François Lemay Poudrier was not, nor did he then and there, after being so duly required so to do as

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aforesaid, declare and testify, in conformity with the law in that behalf, that he was duly seized at law or in equity as of freehold for his own use and benefit, of Lands or Tenements held in free and common socage, or duly seized or possessed for his own use and benefit, of Lands or Tenements held en fief or en roture in the Province of Canada, of the value of Five hundred pounds of sterling money aforesaid, over and above all rents, mortgages, charges, and incumbrances upon or due and payable out of or affecting the same, and that he had not collusively or colorably obtained a title to or become possessed of the said Lands and Tenements, or any part thereof, for the purpose of qualifying or enabling him to be returned a Member of the Legislative Assembly of the Province of Canada; and further, that the Lands and Tenements mentioned and described in the aforesaid document purporting to be such declaration in law as aforesaid, were not, on the day last aforesaid, nor are they now, of the value of Five hundred pounds of sterling money aforesaid, over and above all rents, mortgages, charges, and incumbrances charged upon or due and payable out of or affecting the same: That the said John Greaves Clapham was, in and by the Indenture or Instrument aforesaid, and in and by the Return to the said Writ of Election made by the said Returning Officer, declared to have been duly chosen and elected to represent the said County of Megantic during the present Parliament: That the Petitioners conceive and are advised, and do aver, that the said John Greaves Clapham was not capable of being elected and chosen, and was unduly returned to represent the said County in the said Parliament, as well for and by reason of the premises, (having relation to him the said John Greaves Clapham), as on account of the grounds and reasons hereinafter mentioned, that is to say:

Because a large majority of legal votes was recorded at the said Election in favor of the said Dunbar Ross: Because the majority of the said John Greaves Clapham was only a colorable majority, and was composed of persons not entitled to vote at the said Election: Because two hundred and upwards of the votes recorded in favor of the said John Greaves Clapham were those of persons not possessing at the time of the said Election, the qualifications required by law to enable them to vote thereat: Because two hundred and upwards of the votes which purport to have been duly recorded as legal votes for and on behalf of the said John Greaves Clapham were those, partly of persons who were not, at the time of so voting at the said Election, British Subjects by birth or naturalization, and partly of others who had not then attained the full age of twenty-one years, and partly of others who had voted more than once at the said Election, and partly of others who were not possessed at the time of giving their votes at the said Election, for their own use and benefit as proprietors by virtue of a legal title vesting such property in them, either in fee simple or in freehold under the tenure of free and common socage, or en fief, or en roture, or en franc aleu, or by virtue of a certificate derived under the authority of the Governor in Council of the late Province of Quebec, or by virtue of any Act or Acts of the Legislature of the late Province of Lower Canada, or of the Legislature of Canada, of Lands or Tenements lying and being in the said County of Megantic, and in the Townships in which the said two hundred Voters respectively gave such their votes, and being of the clear yearly value of forty-four shillings and five-pence one farthing currency, to wit, the currency set forth in the Statute in that behalf, equal to forty shillings sterling, or upwards, over and above all annual rents, whether ground rents, (rentes foncières) or constituted rents, (rentes constituées) or any other rents and charges payable out of or in respect of the same; and because the said last mentioned Voters were not, at the time of giving such their votes at the said Election, and had not been in actual and uninterrupted possession of the Lands or Tenements upon which they claimed and pretended to be entitled to vote as proprietors, according to the true intent and meaning of the Statute in that behalf, or in the receipt of the rents and profits of such Lands and Tenements as proprietors as aforesaid, according to the same true intent and meaning, by virtue of and under some such title as aforesaid, for their own use and benefit, severally and

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respectively during at lease six calendar months next before the date of the said Writ of Election, the Petitioners averring, that the said last mentioned Lands and Tenements upon which the said last mentioned Voters so claimed and pretended to be entitled to vote as aforesaid had not come to them, nor to any one of them, by descent or inheritance, or by devise, marriage, or contract of marriage, and that they did not, nor did any one of them, have or possess any deed or instrument in writing containing a promise of sale (promesse de vente) in their favor, or in the favor of any one of them, at the time they claimed to vote and did vote at the said Election for the said John Greaves Clapham, of any property whereof they were then in possession, or in favor of any other person or persons through whom they held such property at the time of the said Election, so as to constitute a legal title vesting such property in the persons of the said Voters, and whereof such title, not being a Notarial Deed or Instrument, had been duly enregistered twelve months before the said Election: That the said John Greaves Clapham, after the teste of the Writ for the said Election, and at and during the said Election, and before the Return of the said John Greaves Clapham at such Election, did directly and indirectly, by himself and his authorized agents for that purpose, employ divers means of corruption, by giving sums of money, offices, places, employments, gratuities, rewards and bonds, bills and notes, and conveyances of land, and promises of the same, to divers Electors of the said County whose votes have been given and recorded in favor of him the said John Greaves Clapham, and by threatening divers of the said Electors with the loss of their offices, salaries, incomes, and advantages, with the

intent to corrupt and bribe divers of the said Electors to vote for him the said John Greaves Clapham, and to keep back divers others of them from voting for any other Candidate; and that the said John Greaves Clapham did, during the period aforesaid, by the said means of corruption, corrupt and bribe divers of the said Electors to vote for him the said John Greaves Clapham, and divers others of them to keep back from voting for any other Candidate: That the majority obtained by the said John Greaves Clapham by means of the premises, was apparent and colorable only, and was and is fictitious and fraudulent, and that the majority of good and legal votes polled and tendered at the said Election was in favor of the said Dunbar Ross, who ought to have been declared duly elected and returned as Member for the said County, instead of the said John Greaves Clapham: That at the Township of Somerset, in the said County, on the thirteenth day of the said month of December, being the second day of polling in the said Township for the said Election, at the hour of nine in the forenoon of the said day, the said Dunbar Ross being then and there such Candidate at the said Election as aforesaid, repaired to the Poll House situate in the said Township, where the votes of the Electors resident in the said Township were then being received, and finding the said Poll House surrounded by a large concourse of people, and the entrance into the same guarded by a mob of persons, the said Dunbar Ross demanded admittance, which was refused, and the said Dunbar Ross was then and there forcibly prevented by the said mob of persons from gaining an admittance into the said Poll House; and being then and there interrogated to that effect by the said Dunbar Ross, a number of persons of the said mob openly declared that they would prevent by force and violence the entrance of the said Dunbar Ross into the said Poll House: That the said Dunbar Ross then and there endeavored to push his way through the said mob into the said Poll House, but was immediately repulsed by them: That the said Dunbar Ross then immediately endeavored to effect an entrance by another door in the rear of the said Poll House, whereupon a part of the said mob immediately rushed to the said door, declaring openly and loudly, such move to be made by them for the purpose of preventing an entrance by the last mentioned door: That the said Dunbar Ross thereupon immediately knocked several times at the back door and windows of the

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said Poll House, addressing himself loudly and repeatedly, by name, to Charles Prince, Esquire, Deputy Returning Officer for the said Township of Somerset, at the said Election, requiring him, the said Charles Prince, to procure an entrance for the said Dunbar Ross into the said Poll House, to which repeated appeals, although made within the hearing of the said Charles Prince, he the said Charles Prince paid no attention whatever, and utterly refused to comply with the same: That on the day previous to the opening of the said Poll by the said Charles Prince, and on the following day, to wit, on the eleventh and twelfth days of the same month of December, there was a general rumour current in the said Township that the said Poll House was intended to be taken possession of by force and violence by certain persons resident in the said Township, commonly called "Squatters," not legally qualified to vote at the said Election, but pretending to and claiming a right to vote at the same, being partizans of the said François Lemay Poudrier: That on the said twelfth day of the same month of December, in the said Poll House, and during the hours appointed by law for the polling of the votes in the said Township, and after the votes of several of the said persons, called "Squatters," had been rejected, it was publicly and loudly declared by such persons, in the presence and hearing of the said Charles Prince, that they, the said persons, and the partizans of the said François Lemay Poudrier, would return on the following day to the said Poll House, and take possession of the same by force and violence, in order to cause their said illegal votes to be taken and registered, and to exclude from the said Poll House the other Candidates at the said Election, their agents and attorneys, for the purpose of preventing any objection being made by them to the receiving of the said illegal votes: That on the said twelfth day of December, the said Dunbar Ross called

the attention of the said Charles Prince, being such Deputy Returning Officer as aforesaid, to the said rumours and threats of violence, and then and there required him, the said Charles Prince, to swear in the usual number of Constables required by law to keep the peace at the said Poll House, and such additional number as would be sufficient to guard against the said threats of violence, and ensure the liberty of voting to all the qualified Electors of the said Township; to which request and demand the said Charles Prince falsely pretending to comply with the same, answered that he would swear in as many Constables as would be necessary; but that the said Charles Prince on the contrary thereof, unlawfully aiding and abetting the said persons in their said unlawful designs and proceedings, did illegally and unjustly, and corruptly neglect and refuse to swear in any Constables whatever at any time during the said Election, notwithstanding that he was by the Law and Statutes in that behalf strictly enjoined and required so to do: That moreover, the said Charles Prince did, during the whole of the said Election, openly avow himself to be a partizan of the said François Lemay Poudrier, and a party to the said illegal proceedings, and did conspire with the other partizans of him the said François Lemay Poudrier to defeat the law by facilitating the taking of such illegal votes, and refusing access to the said Poll House to the said Candidates and their agents, and the persons duly qualified to vote at such Election for the said other Candidates: That the said mob of persons did, during the whole of the night preceding the said thirteenth day of December, and during the whole of the polling hours of the said thirteenth day of December, keep possession of the said Poll House by force and violence, and exclude the other Candidates therefrom, and did then and there cause to be enregistered for the said François Lemay Poudrier, by the connivance and with the assistance of the said Charles Prince, three hundred and fifty votes of persons, called "Squatters," having no right to vote at the said Election, and of others who were under age, and of others who had no property, or right or claim to any property whatever in the said Township; of all which premises, the said Dunbar Ross, as well as the said John Greaves Clapham, being then and there present as such Candidates as aforesaid, and being aggrieved by the unlawful

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proceedings aforesaid, made their several protests in due form and of which protest of the said John Greaves Clapham, an authentic copy was by him delivered to the said Returning Officer, which is by the said Returning Officer returned with his Return to the said Writ of Election: That in consequence of the said riotous proceedings at the said Polling House, in the said Township of Somerset, and the acts of violence there committed and systematically continued by the partizans of the said François Lemay Poudrier, and the exclusion of the said Dunbar Ross, his agents and Voters from the said Polling House, on the said thirteenth day of December, in the year aforesaid, divers Electors in the said Township duly qualified to vote at the said Election, and desirous of tendering and giving their votes for the said Dunbar Ross, were intimidated from repairing to the said Poll House, and were, by the illegal means aforesaid, forcibly excluded therefrom and wholly prevented from giving their votes in favor of the said Dunbar Ross, according to such their intention and desire: That by reason of the premises, the said Dunbar Ross as such Candidate as aforesaid, and the said Petitioners as such Electors as aforesaid, have suffered grievous injury and damage, whereby the Election of the said County of Megantic came to be and was and is wholly and absolutely null and void, and so ought to be held and adjudged by the House: That on the day fixed by the said Returning Officer for closing the said Election, to wit, on the said twentieth day of December, in the year aforesaid, at the Township of Leeds aforesaid, the said Returning Officer proceeded to ascertain the state of the general Poll at the said Election, by counting and adding up, from each Poll Book, the total number of votes taken and recorded at the said Election in the whole of the said County; and it was thereupon then and there ascertained by the said Returning Officer, that the number of votes purporting to have been given and recorded for and on behalf of

the said John Greaves Clapham was five hundred and sixty-five, that the number of votes given and recorded for and on behalf of the said Dunbar Ross was five hundred and thirty-eight, and that the number of those purporting to have been given and recorded for and on behalf of the said François Lemay Poudrier was five hundred and fourteen, as the same appears in and by the Poll Books of the said Election, thereby making the total number of votes taken and recorded at the said Election, in the whole of the said County, to amount to the number of one thousand six hundred and seventeen votes; and inasmuch as the said John Greaves Clapham had not then a majority of the total number of votes so counted and added up, and which purported to have been taken and recorded according to law in all the Townships in the said County, he the said John Greaves Clapham was by the said Returning Officer, unduly and illegally proclaimed as being duly elected a Member to represent the said County in the said Legislative Assembly, and the said Election was and is by reason of the premises, null and void to all intents and purposes whatsoever; and praying that the House will be pleased to take the premises into consideration, and to find and declare that the said John Greaves Clapham was not duly qualified, and did not at any time during and before the closing of the said Election, qualify himself as a Candidate at the said Election; and that the said John Greaves Clapham ought not to have been elected or returned as a Member to serve in Parliament for the said County of Megantic; and that the said Dunbar Ross was duly elected and ought to have been returned as such Member as aforesaid; and thereupon that the House will direct the Return for the said County to be amended accordingly, by erasing therefrom the name of the said John Greaves Clapham, and by inserting, in the stead thereof, the name of the said Dunbar Ross, or that the House will declare the said Election for the said County wholly null and void, and direct that a new Writ do issue for the Election of a Member to serve in Parliament for the same, and grant to the Petitioners such other and further relief in the premises as to the House shall seem meet.

Of John Mills and others, of the City of Hamilton; praying for the passing of an Act to incorporate a Company for supplying the said City with Water.

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Of the Honorable J. Elmsley and others, Roman Catholic Inhabitants of the Diocese of Toronto; praying for the passing of an Act to define the rights and privileges of separate Schools.

Of M.G. Mountain and others, of the City of Quebec; praying for the passing of an Act to prevent any more interments being made in the Protestant Burial Ground in the St. John's Suburbs, or the Hôtel-Dieu Burial Ground in the Upper Town of the said City.

Of Joseph Hamel and others, of the City of Quebec; praying for the passing of an Act to incorporate them as the "Chambre de Lecture de St. Roch."

Of Alexander McNaughton and others, of the County of Halton; praying that the said County be separated from the County of Wentworth and erected into a distinct County, and that the Village of Milton be made the County Town thereof.

Of the Provincial Mutual and General Insurance Company; praying for the amendment of their Charter, and for power to increase their Capital Stock from time to time, to the amount of £500,000.

Of the Toronto and Guelph Railway Company; praying for the amendment of the Act incorporating the said Company, and for power to extend the said Railroad to Lake Huron or the River St. Clair.

Of Joseph Bedard and others, of the Parish of St. Roch of Quebec; praying for the passing of an Act to extend the right of voting for Church Wardens of the Parish of St. Roch to certain others besides Pew-holders.

Of Mrs. Widow Olivier Blais, of the Parish of St. Roch of Quebec; praying indemnity for a certain amount adjudged against her in the Admiralty Court, through an error in the English translation of the Act to exempt Masters of Vessels from taking Pilots in certain cases, and which error was subsequently corrected by

another Act.

Of the Municipal Council of the United Counties of Essex and Lambton; praying for the passing of an Act to indemnify the said Council from actions on account of certain By-Laws passed by the late Council of the Western District, and to confirm the same, and to enable them to collect taxes under the same.

Of the Municipal Council of the United Counties of Essex and Lambton; praying for certain amendments to the Jury Law.

Of the Municipal Council of the United Counties of Essex and Lambton; praying that the Law governing Tavern Licenses may be so amended as to leave the granting of such Licences in the hands of each Municipality.

Of the Municipal Council of the United Counties of Essex and Lambton; praying for the passing of an Act granting to Municipal Councils the power to decide upon all disputed Elections or Returns of Municipal Councillors, or Township Reeves.

Of Lauchlan McDougal, of Wallaceburgh, County of Kent; praying for the arrears of his pension discontinued from the year 1819 while he was in the wilderness among the Hurons, to the year 1852 when he was restored to the list.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying for the passing of an Act to empower Municipal Councils of Counties to grant, in certain cases, titles to concession allowances and side lines to parties granting in lieu thereof Roads parallel to or near the same.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying that the jurisdiction of Division Courts may be increased, and that County Courts be abolished.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying that the Assessment Law may be so amended as to enable Municipal Councils to assess certain portions of their Municipalities for local improvements.

Of the Municipal Council of the United Counties of Lincoln and Welland; praying for the reduction of the Tax imposed for the Lunatic Asylum.

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Of Emmanuel C. Després; praying compensation for loss sustained by him in the construction of the Court House and Gaol of the County of St. Hyacinthe, in the year 1834.

Of the there-undersigned Freeholders and Voters at the last General Election of the County of Prince Edward for a Member to represent the said County in Provincial Parliament; setting forth: That at the last General Election, an Election was held in and for the County of Prince Edward, in the month of December, in the year of our Lord one thousand eight hundred and fifty-one, James McDonald, Esquire, Sheriff of the said County of Prince Edward, acting as Returning Officer for the Election of one member to represent the said County in the House of Assembly of this Province, and that David Barker Stevenson, Esquire, and Roger Bates Conger, Esquire, were Candidates duly nominated to represent the said County in Parliament as aforesaid: That at and pending the said Election, the said David Barker Stevenson (being thereunto duly required) made and subscribed before the Returning Officer aforesaid, the declaration as to his property qualification required by law to constitute and render him eligible to be elected as a Member aforesaid: That the Lands and Tenements constituting the freehold mentioned and subscribed to by the said David Barker Stevenson in the said declaration, are not and were not at the time of making such declaration, or at the time of such Election or Return, of sufficient value over and above all rents, mortgages, charges, and incumbrances charges upon or due and payable out of or affecting the same, to qualify the said David Barker Stevenson to be legally elected to sit and vote as a Member of the said House of Assembly: That notwithstanding the want of qualification as aforesaid, the said David Barker Stevenson was returned as duly elected to represent the said County of Prince Edward in the said House of Assembly, and has taken his seat therein; and praying that the House will cause the said Return to be amended, by declaring Roger Bates Conger, Esquire, who is duly qualified to represent the said County of Prince

Edward, and who, next to the said David Barker Stevenson, had the greatest number of votes polled at the said Election, duly elected to represent the County of Prince Edward in the Legislative Assembly of this Province.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, reported to the House, That their several Addresses of the 24th and 31st August last (That the Papers therein respectively mentioned might be laid before this House,) had been presented to His Excellency the Governor General; and that His Excellency had been pleased to say, that he would give directions accordingly.

Ordered, That the Petition of Joseph Cauchon, Esquire, one of the Members of this present Parliament for the County of Montmorency, complaining that Louis Célestin Lefrançois, Esquire, the Returning Officer at the late Election for the said County, acted with partiality, and illegally, and praying that he may be summoned to the Bar of the House to answer for his conduct in that behalf, be taken into consideration on Monday next.¹

MR. CAUCHON said he had looked for a precedent in the course he intended to pursue relative to his petition, complaining of illegal conduct on the part of the Returning Officer for the county of Montmorenci during the last election. He believed that he had found an analagus [sic] case in the Journals of the English House of Commons.--The return of the sitting member for Great Grimsby was contested by the opposing candidate and, the case having been tried by an ordinary election committee, was ascertained that the Returning Officer had acted in an unwarrantable and illegal manner, recording the votes of persons who were non-electors, and refusing permission to vote to those who were really entitled to do so. The Committee made a report to that effect, and it was ordered that that portion of the report which stated the illegal and undue interference of the Returning Officer should be printed and that the question should be taken into consideration on the following day. Following the precedent thus set by the English Commons, he (Mr. Cauchon) moved that his petition be printed and that it be taken into consideration on Monday next. If the motion were acceded to, the House would then be in a position to ascertain whether the Returning Officer had, or, had not, exceeded his duty, and what step it would be advisable to take if he had done so.²

MR. H. SMITH (Frontenac) did not know that it was customary for a member to complain in person of the conduct of a Returning Officer, or to take the initiative in calling upon the House to punish such conduct. He conceived that it would be much better for Montmorenci to put his papers into the hands of another member, and allow him to act in the matter. The mode of procedure marked out by that member was, in his opinion, altogether unparliamentary.³

MR. CAUCHON knew that many of his friends in the House would be willing to take charge of the case, but he conceived that he, from his knowledge of the facts, would be in a position to conduct it himself much better than any one else. He wished that the question should come fully under the consideration of the House, as it was a matter of much importance that elections should not be unlawfully interfered with by the Returning Officers. It was not from any personal motives that he had moved in the matter as he had not suffered any injury by the misconduct of the Returning Officer, but on the contrary, had been returned by a large majority. He had been influenced by a desire to induce the House to act in such a manner as to prevent Returning Officers from transgressing the strict line of their duty--that duty they must thoroughly understand, being men of education and standing in society, yet it was notorious that they frequently interfered unduly, and that the interference was carried to such an extent that a law was especially enacted for its presentation.--They had even carried that interference so far as to induce defeated candidates to contest an election just for the purpose of increasing their own remuneration. In view of the probable pecuniary gains, the risk of two or three day's imprisonment was scarcely of any importance to men desirous of acquiring money; but he thought

the law relative to elections should be carried out according to its letter, and according to the intentions of its framers.⁴

MR. AT. GEN. RICHARDS asked whether the member for Montmorenci thought that the conduct of the Returning Officer was a breach of the privileges of this House?⁵

MR. CAUCHON--Yes.⁶

MR. AT. GEN. RICHARDS suggested that the question should be referred to a committee of the House.⁷

MR. CAUCHON had given it full consideration, and had come to the conclusion that although it was a breach of privilege, it was not such a case as came ordinarily within the jurisdiction of a committee, but should rather be taken cognizance of by the House itself.⁸

SIR A. MACNAB did not wish to interfere unnecessarily, but he thought it would be time for the House to decide when it should be taken into consideration after they were in possession of the printed documents.⁹

The motion was agreed to.¹⁰

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Ordered, That the said Petition be printed for the use of the Members of this House.

Ordered, That the Petition of the Industry Village and Rawdon Railroad Company; the Petition of François Boucher and others, of the Parish of St. Joseph de Maskinongé, County of St. Maurice; the Petition of V. Guillet, Esquire, and others, of the Parish and Town of Three Rivers; the Petition of Joseph Blais, of the Parish of St. Pierre, County of L'Islet; the Petition of the Municipal Council of the Town of Port Hope; the Petition of the Toronto and Guelph Railway Company; the Petition of the Corporation of the Toronto House of Industry; the Petition of the City of

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Toronto Gas Light and Water Company; and the Petition of John Mills and others, of the City of Hamilton, be referred to the Standing Committee on Standing Orders.

Resolved, That the Petition of William B. Wells, Esquire, and others, Justices of the Peace in and for the County of Kent, in Court of General Quarter Sessions assembled, be referred to a Select Committee, composed of Mr. Prince, Mr. Christie of Gaspé, Mr. Christie of Wentworth, Mr. Dixon, Mr. Langton, Mr. Hartman, and Mr. Brown, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Petition of the Town Council of the Town of Prescott, be referred to the Standing Committee of Railroads, Canals, and Telegraph Lines.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Fourth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petitions of Richard J. Shaw and others,--of William P. Vidal and others,--and of the President and Directors of the Pickering Harbour and Road Joint Stock Company, and find that due Notice has been given in each case.

The Petitions of the Reverend A. Simard and others,--of Sister M.A.M. Mallet and others,--and of the Right Reverend the Bishop of Tloa, and others, being severally for the incorporation of Associations of a charitable nature, do not require the publication of Notice.

The Petition of Edmund Coulson and others, for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, being of a public nature, has been erroneously referred to Your Committee.

Upon the Petition of the Honorable A.N. Morin and others, for incorporation of a Company for the construction of Steamboats to navigate the River St. Lawrence, it

appears that no Notice has been published; as, however, the Petitioners do not seek for any exclusive rights or privileges, but merely for the ordinary corporate powers necessary to enable them to carry on business as a Joint Stock Company, Your Committee submit to Your Honorable House to determine whether it might not be expedient to suspend the 64th Rule in their favor.

Ordered, That the Honorable Mr. LaTerrière have leave to bring in a Bill to incorporate La Société des Dames Charitables de la Paroisse de St. Etienne de la Malbaie.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Wright of the East Riding of York have leave to bring in a Bill to incorporate the Pickering Harbour and Road Joint Stock Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Ordered, That Mr. Stuart have leave to bring in a Bill to incorporate the Quebec Temperance Hall Association.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Ordered, That the Honorable Mr. Chabot have leave to bring in a Bill to incorporate the Sisters of Charity at Quebec.

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He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That the Honorable Mr. Chabot have leave to bring in a Bill to incorporate the Ecclesiastical Society of St. Michel.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

On motion of Mr. Stuart, seconded by the Honorable Mr. Chabot,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause the proper Officer to lay before this House, a detailed Statement of the sums of money respectively received by the several Public Officers mentioned in the Act assigning fixed Salaries to certain Officers of Justice in Lower Canada, and forming a special fund out of the salaries, fees, emoluments and pecuniary profits attached to their offices (13 & 14 Vic. cap. 37); and also, a detailed Statement of the outlay or expense of management of each office for each year since that Act came in force; also, a List of the Officers, Deputies and Clerks, the amount assigned, and the amount actually paid to each of them; and also, copies of all Instructions given for the purpose of carrying the above into effect; with copies of the Accounts rendered to the Inspector General of Public Accounts under that Act, and a Statement of balances, if any, paid over by the said Officers respectively to the Receiver General, pursuant to the provisions of the same Act; and lastly, a Statement of any monies that may have been advanced out of the public funds to make up any deficiencies in salaries assigned or otherwise; copies of applications, if any, for unpaid salaries, and generally all the information and documents respecting the working of the said Act.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Honorable Mr. Attorney General Richards have leave to bring in a Bill to repeal the Acts therein mentioned, and to improve the Law of Evidence in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Resolved, That a Select Committee, composed of Mr. Fournier, the Honorable Mr. Cameron, the Honorable Mr. LaTerrière, Mr. Prince, and Mr. Christie of Gaspé, be appointed to inquire into the following matters relative to the Magdalen Islands: --1st. Under what description of Tenure the inhabitants of these Islands hold their Lands; 2nd. What is the present condition of their Agriculture, Trade, Fisheries, and other branches of industry, whether in mines, minerals, or otherwise, and what would be the most efficient means for their improvement should that be deemed necessary; 3rd. Whether these Islands generally, in a Commercial point of view, are advantageous to this Province, or otherwise; lastly, into all matters having reference thereto; to report thereon with all convenient speed, with power to send for persons, papers, and records.

On motion of Mr. Fournier, seconded by Mr. Lemieux,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House, copies of all the Correspondence which has taken place between the Government of New Brunswick and that of this Province, with reference to the Division Line between this Province and New Brunswick; and also, of all the Reports of the Commissioners

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and Surveyors employed in the settlement of this matter since the last Report laid before this House by Government on this subject, or such portions thereof as His Excellency shall deem necessary for the information of this House with reference thereto.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Fournier, seconded by Mr. Lemieux,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause the proper Officer to lay before this House, the following Statements for the last five years:--1st, Of the Imports and Exports by way of the River St. Lawrence, from and to the different Ports and Harbours of the Provinces of Nova Scotia, New Brunswick, Prince Edward's Island, and the Island of Cape Breton, specifying each Port and Harbour from and to which the said Imports and Exports were made. 2nd, Of the sums paid to Government arising from the Sales of Timber in the Counties of Bellechasse, L'Islet, Kamouraska, Rimouski, Gaspé, and Bonaventure; of the number of Vessels which have loaded with Timber and Fish for exportation, and the average value of their cargoes for the same period. 3rd, Of the number of Schooners or other Vessels entered at the Custom House constructed or purchased by persons resident in the Parishes or Townships of those different Counties in the same period, and their tonnage, specifying if possible, the Counties in which they were built.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Honorable Mr. Chabot have leave to bring in a Bill to allow the Fabriques of the Diocese of Quebec to form a Mutual Insurance Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That Mr. Tessier have leave to bring in a Bill to provide for the more speedy Distribution of the Statutes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Saturday the eighteenth instant.

On motion of Mr. Fortier, seconded by Mr. Polette,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House, copies of all Instructions given by the Imperial Government to the Governors, Lieutenant Governors, or Administrators of the Government of Lower Canada, relative to grants of Land by way of reward or otherwise; and also, of the Sales of uncultivated Crown Lands in Lower Canada.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Honorable Mr. LaTerrière have leave to bring in a Bill to prevent fishing with Gill Nets for Trout and other Fish in the Lakes within the County of Saguenay.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

The Order of the day for the second reading of the Bill to amend an Act passed

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in the eighth year of the Reign of Her Majesty to incorporate the St. Lawrence and Atlantic Railroad Company, and to extend the powers of the said Company, being read;

Ordered, That the Bill be read a second time on Monday next.

The Order of the day for the second reading of the Bill for avoiding doubts which might otherwise arise from the Act making alterations in the Territorial Divisions of Upper Canada having come into effect since the last General Election, being read;

The Bill was accordingly read a second time; and ordered to be read a third time on Monday next.

The Order of the day for the second reading of the Bill to confer certain powers on Municipal Corporations and Companies to take materials to repair Roads, being read;¹¹

MR. BURNHAM moved the second reading of the bill to confer on Municipalities in Upper Canada certain powers in relation to roads.¹²

MR. AT. GEN. RICHARDS had barely glanced over the bill and did not know whether he would be able to support it or not. As it proposes to confer on municipalities certain powers which they have not possessed hitherto, he thought that it was a matter of some importance, and that it would be well to refer it to a Committee of the Whole.¹³

MR. BURNHAM had no objection to do so. The bill merely confers on municipalities those powers which are now enjoyed by incorporated road companies.¹⁴

The bill was then read a second time.¹⁵

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The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Monday next.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Langton, The House adjourned until Monday next.¹⁶

APPENDIX: 3 SEPTEMBER 1852.

[NOTICE OF MOTION RE: TUG BOATS ON THE ST. LAWRENCE.]¹⁷

MR. ROBINSON gave notice that on Monday next he will move for copies of all correspondence between the ex-Government and any contractor or contractors, for furnishing steam tug-boats on the River St. Lawrence, or with the Montreal Board of Trade, or any other person or persons, on the subject of withdrawing the said tug-boats, and discontinuing the accommodation afforded by them to the trade of the Province.¹⁸

[NOTICE OF MOTION RE: REVISION OF DUTIES ON IMPORTS.]¹⁹

MR. GAMBLE gave notice that he will, on Thursday next, move the House into Committee of the Whole on the following resolution:--That it is expedient to revise the duties now imposed upon goods, wares, and merchandize imported into this Province, in order that the revenue derivable therefrom may be raised in such a manner as to foster and encourage those branches of Canadian industry for which this country possesses natural advantage.²⁰

[NOTICE OF MOTION RE: SHIP CANAL BETWEEN THE ST. LAWRENCE RIVER AND LAKE CHAMPLAIN.]²¹

MR. MERRITT gave notice that on Wednesday next he will move that the House do consider the following resolution:--In the opinion of this House, the early construction of a Ship Canal between the River St. Lawrence and Lake Champlain, of sufficient dimensions to admit the passage of the largest class of steamboat navigation to the interior lakes, would cheapen the rates by freight between Lake Erie and New York, and increase the revenue in the same proportion--as on the Erie and Oswego canals--hasten the period for paying off the debt of Canada, and prolong the time for the payment of the public debt of New York, thereby regaining the trade of the West now diverted from the St. Lawrence.²²

[POSTPONED MOTION RE: ADDRESS FOR RETURN OF CORRESPONDENCE RELATIVE TO MONTREAL FIRE LOAN.]²³

MR. BROWN moved an address to His Excellency for copies of all correspondence which may have been had between the Government and the Mayor or citizens of Montreal, in reference to a loan as aid in rebuilding houses destroyed by the recent fire in that city. It had been stated that the Government had offered to advance no less a sum than £200,000 of the public money for this purpose. It appeared strange that such an offer should be made on the mere authority of the Executive. It was rumored, moreover that some very extraordinary provisions were connected with the grant. He thought it was highly desirable that the correspondence should be made public.²⁴

MR. PROV. SEC. MORIN stated that such a correspondence has been and is still going on. If the member for Kent persisted in his motion, he would only be able to obtain a portion of the correspondence, but if he waited for a short time he would be enabled to get it complete.²⁵

MR. BROWN withdrew his motion, with the understanding that he would renew it on Friday next.²⁶

[COMPLAINT RE: REPRESENTATION OF NIAGARA AND OXFORD.]²⁷

MR. MACKENZIE rose to a question of privilege.²⁸ [He] complained that Mr. Hincks had not elected his seat, so that Niagara was unrepresented.²⁹

SIR A. MACNAB said Mr. Hincks had a week to decide³⁰.

MR. MACKENZIE replied that³¹ he had, at an early day, called the attention of the Inspector General to the fact, that he was occupying seats for two constituencies, and that it was necessary for him to make a selection between them. He certainly had expected that the Inspector General would have given some attention to the matter, but fourteen days have elapsed since the opening of the House, and yet he is in the same position.³² He was sorry that any Honorable Member should take advantage of that right to keep a constituency so long unrepresented.³³

MR. J.S. MACDONALD the SPEAKER, called the member for Haldimand to order, and the matter then dropped.³⁴

FOOTNOTES: 3 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in partially identical accounts: HAMILTON GAZETTE, 13 September 1852, and GLOBE, 9 September 1852.
2. HAMILTON GAZETTE, 13 September 1852.
3. IBID.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. IBID.
9. IBID.
10. IBID.
11. The following papers reported the debate on this matter in partially identical accounts: HAMILTON GAZETTE, 13 September 1852, and GLOBE, 9 September 1852. The following papers noted the second reading of this bill in identical accounts: HAMILTON SPECTATOR DAILY, 3 September 1852, MONTREAL GAZETTE, 4 September 1852, PILOT, 4 September 1852, HAMILTON GAZETTE, 6 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NORTH AMERICAN, 9 September 1852, BATHURST COURIER, 10, 17 September 1852, and OTTAWA CITIZEN, 11 September 1852.
12. HAMILTON GAZETTE, 13 September 1852.
13. IBID.
14. IBID.
15. IBID.
16. HAMILTON SPECTATOR DAILY, 3 September 1852, reported that "the House adjourned at half-past 5 o'clock."
17. The following papers reported this notice of motion in partially identical accounts: HAMILTON GAZETTE, 13 September 1852, and GLOBE, 9 September 1852.
18. HAMILTON GAZETTE, 13 September 1852.
19. The following papers reported this notice of motion in partially identical accounts: HAMILTON GAZETTE, 13 September 1852.
20. HAMILTON GAZETTE, 13 September 1852.
21. The following papers reported this notice of motion in partially identical accounts: HAMILTON GAZETTE, 13 September 1852, and GLOBE, 9 September 1852.
22. HAMILTON GAZETTE, 13 September 1852.
23. The following papers reported this postponed motion in partially identical accounts: HAMILTON GAZETTE, 13 September 1852, and GLOBE, 9 September 1852.
24. HAMILTON GAZETTE, 13 September 1852.
25. IBID.
26. IBID.
27. The following papers reported the debate on this matter in partially identical accounts: HAMILTON SPECTATOR DAILY, 3 September 1852, MONTREAL GAZETTE, 4 September 1852, PILOT, 4 September 1852, HAMILTON GAZETTE, 6 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, NORTH AMERICAN, 9 September 1852, BATHURST COURIER, 10 September 1852, and OTTAWA CITIZEN, 11 September 1852; GLOBE, 9 September 1852, and HAMILTON GAZETTE, 13 September 1852.
28. HAMILTON GAZETTE, 13 September 1852.
29. HAMILTON SPECTATOR DAILY, 3 September 1852.
30. IBID.
31. IBID.
32. HAMILTON GAZETTE, 13 September 1852.
33. HAMILTON SPECTATOR DAILY, 3 September 1852.
34. HAMILTON GAZETTE, 13 September 1852.

MONDAY, 6 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Statement of the Affairs of the Kingston Fire and Marine Insurance Company, to 31st March, 1852.

For the said Statement, see Appendix (R.)

And also, Statements of the Affairs of the Montreal and Lachine Railroad Company, to 31st December, 1851; and of the St. Lawrence and Industry Village Railroad Company, to 31st December, 1851.

For the said Statements, see Appendix (I.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of the Municipality of the Township of Gloucester; the Petition of Andrew Russell and others, of the Village and Township of Packingham; and the Petition of Leonard Wood and others, of the Township of Osgoode, County of Carleton.

By Mr. Burnham,--The Petition of A. Jeffry, Esquire, and others, of the Counties of Northumberland and Peterborough; the Petition of Thomas Richard and others, of the Township of Hamilton, County of Northumberland; and the Petition of John K. Roche, of the Town of Port Hope.

By Mr. Lemieux,--The Petition of Julien Chabot and others, of the Parish of St. Joseph de la Pointe Levy.

By the Honorable Mr. LaTerrière,--The Petition of the Reverend F. Durocher and others, of the Townships of Bagot and Chicoutimi.

By Mr. Poulin,--The Petition of M. Townsend and others, Directors of the Clarenceville Academy.

By Mr. Dixon,--The Petition of John B. Askin, President, on behalf of the Agricultural Society of the United Counties of Middlesex and Elgin.

By Mr. Langton,--The Petition of F. Cumberland and others, of the City of Toronto

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and other places; the Petition of Henry Rowed, Esquire, and others, of the Township of Seymour and its vicinity; the Petition of George B. Hall and others; and the Petition of the Reverend John Gemley, Minister, and others, the members of the Congregation of the Wesleyan Methodist Church of the Town of Peterborough, and others.

By Mr. Sanborn,--The Petition of Nathaniel Jenks, M.D., and others, of Barnston; and the Petition of Marcus Child, Esquire, and others.

By Mr. Willson,--The Petition of the Reverend James Skinner and others, of the Township of London, County of Middlesex; and the Petition of Philip Hodgkinson and others, of the Township of Malahide, County of Elgin.

By Mr. Prince,--The Petition of Daniel Snyder and others, of the Township of Colchester,

By Mr. Solicitor General Chauveau,--The Petition of A. Derousselle, Esquire, and others, of the Parish of Beauport and other places.

By Mr. Brown,--The Petition of the Reverend William King, Minister, and others, of the Congregation of the Free Presbyterian Church of Buxton; the Petition of the Reverend John Corbett and others, of the Township of Wakefield and vicinity, in the County of Ottawa; the Petition of Robert Allan and others, of the Township of Plympton; and the Petition of Andrew Mullins and others, of the Township of Sombra.

By the Honorable Mr. Cameron,--The Petition of Thomas Rowland and others, of the Town of Stratford; the Petition of the Reverend J. Hurlburt, in behalf of the Adelaide Academy; the Petition of Thomas Smith and others, of the Village of Mitchell; the Petition of Peter Catanach and others, of the Townships of Sombra and Moore, County of Kent; the Petition of Simon Newcomb and others, of the Township of Bayham; and the Petition of Neil Clark and others, of the Township of Chinguacousy.

By the Honorable Mr. Attorney General Drummond,--Two Petitions of the Municipal Council of the Municipality of Shefford; and the Petition of Stephen S. Foster, Esquire, and others, of the County of Shefford.

By Mr. Cauchon,--The petition of Hector L. Langevin, of the City of Quebec, Esquire, Advocate.

By Mr. Christie of Wentworth,--The Petition of John Harris and others, of the Village of Mount Pleasant; the Petition of the Reverend George Cheyne and others, in behalf of the Congregations of Saltfleet and Binbrook in connexion with the Presbyterian Church of Canada; the Petition of A. Huntington and others, of the County of Brant; the Petition of the Town Council of the Town of Brantford; the Petition of the Municipal Council of the United Counties of Wentworth, Halton, and Brant; the Petition of John A. Wilkes, of the Town of Brantford; and the Petition of Warren Nichols and others, of the Township of Sombra, County of Lambton.

By Mr. White,--The Petition of the Trafalgar, Esquesing and Erin Road Company; the Petition of John Kennedy, Esquire, and others, of the Township of Esquesing; the Petition of the Municipal Council of the United Counties of Wentworth, Halton, and Brant; the Petition of John White and others, of the Township of Trafalgar, and others; the Petition of William Firstbrook and others, of the Township of Erin; and the Petition of Mrs. E. Hart, of the City of Hamilton, widow.

By Mr. Egan,--The Petition of James Maclaren, Esquire, and others, of the Township of Wakefield and vicinity, County of Ottawa.

By Mr. Johnson,--The Petition of Archibald Petrie and others, of the Township of Cumberland, County of Russell; the Petition of Charles P. Treadwell, Esquire,

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President, on behalf of the Agricultural Society of the United Counties of Prescott and Russell; and the Petition of John Ramsay, Chairman, and J.W. Marston, Secretary, on behalf of the Public Meeting of the Inhabitants of L'Orignal and its vicinity.

By Mr. Wright of the East Riding of York,--The Petition of James Hodgson, President, and others, on behalf of the Whitby Mechanics' Institute.

By Mr. Rose,--The Petition of Peter Shaver, Esquire, and others, of the Township of Matilda.

By the Honorable Mr. Macdonald,--The Petition of the Right Reverend the Bishop of Charro, and Administrator of the Diocese of Kingston, and others, the Roman Catholic Clergy and Laity of the said Diocese; and the Petition of Griffith Jones, of the City of Kingston.

Pursuant to the Order of the day, the following Petitions were read:--

Of George W. Cameron and others, Sons of Temperance, and others, of the Township of Lochaber; of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton; of Richard J. Doyle and others, of Oshawa and its vicinity; of T. Bickle and others, of the Township of Markham and other places; of William Pogue and others, of Richmond Hill and vicinity; of John Lightbody and others, of the Township of Markham; of Thomas Fuyard and others, of the Township of Scarborough; of Francis M. Whitelaw and others, of the Town of Niagara; of Mary Ann Watts and others, of the Town of Niagara; of N.C.T. Cheltenham and others, of the Township of Chinguacousy; of Joseph Gould and others, of the Townships of Usbridge and Scott, County of Ontario; of Royford Coristine and others, of the Township of East Williambury; of Margaret Doherty and others, females, of the Town of Amherstburg and its vicinity; and of George Duncan and others, of the Town of Amherstburg and its vicinity; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying for aid to improve the Road leading to the River aux Raisins, and to repair the Bridge over the said River, in the Township of Charlottenburgh.

Of F.C.T. Arnoldi, Esquire, M.D., and others, Lecturers in the St. Lawrence School of Medicine of Montreal; praying that the said School may be placed on the same footing with others, in Lower Canada, so far as regards pecuniary aid.

Of Hypolite Valiquette and others, of the Parish of St. Joachim de la Pointe Claire, County of Montreal; praying aid to establish an Academy in the said Parish.

Of Joseph Daout and others, of the Parishes of Lachine and Pointe Claire, County of Montreal; praying aid to macadamize the Road from Lachine to Ste. Anne.

Of Henry Moyle, Esquire, of the Township of Brantford, County of Brant;

complaining of the conduct of G.M. Johnson, an agent of the New England Company, in publishing treasonable letters, and praying that measures may be adopted to obtain such alterations in the Charter of the said Company as to prevent a recurrence of such conduct on the part of its agents.

Of James F. Bradshaw, of the City of Quebec, Esquire, Manager of the Bank of Upper Canada; praying for the passing of an Act to enable the Chartered Banks of this Province to make shares thereof held in Europe transferable, and the dividends thereof payable there as in Canada.

Of the Municipality of the Township of Nelson; praying for the passing of an Act to authorize the conveyance to the said Municipality of a certain lot of land for the purpose of erecting thereon a Township Hall.

Of John Corbitt and others, of the Townships of Biddulph and McGillivray, County of Huron; praying that the said Townships may be detached from the said County, and annexed to the County of Middlesex.

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Of the Municipality of the Township of Sarnia; praying the adoption of measures for the sale of the Clergy Reserve Lands, and the appropriation of the proceeds thereof to Educational purposes.

Of the Municipality of the Township of Sarnia; of the Municipality of the Township of Chatham; of the Municipality of the Township of Cramahé; and of the Reverend G.F. Playter and others, of Huntingdon and other Townships; praying for the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the Public Service.

Of Murdoch Mackenzie, of the City of Quebec, Sergeant in the late 103rd Regiment; praying indemnity for the loss of his house blown up by gunpowder during the great fire in the said City, in June, 1845.

Of Mrs. H.M. Mountain and others, the Ladies Managers of the Male Orphan Asylum of Quebec in connexion with the Church of England; praying aid in behalf thereof.

Of George Arundel Hill, of the Township of Dummer, yeoman; praying that the Christian Sabbath may be considered a human and not a divine institution, and that previous to any additional Legislative interference being had with regard to that Day, he may be heard at the Bar of the House with reference thereto.

Of Daniel Doran, of the Town of Peterborough, Cloth Manufacturer; praying for the abolition of the Court of Chancery, and that an Equity Jurisdiction be conferred upon the Courts of Common Law.

Of Messieurs Bryce, McMurrich and Company, and others, Merchants and Traders of the City of Toronto; praying for certain amendments to the Assessment Law now in force.

Of John Taylor and others, of Brockville, Manufacturers, and others; praying the adoption of measures to protect the Domestic Manufactures of Canada.

Of the Right Reverend the Roman Catholic Bishop of Montreal; praying that the usual annual aid of £1000 to the Montreal General Hospital, may be divided between the said Hospital and the St. Patrick's Hospital in the said City.

Of Sister Ste. Jeanne de Chantal and others, Sisters of Mercy, Directresses of L'Hospice de la Maternité de Montréal; praying for aid in behalf of the said Institution.

Of the Montreal Ladies' Benevolent Society; praying aid in behalf thereof.

Of Frederick A. Cutter, of the Township of Sutton; Richard Hutchinson, of the Township of Shefford, Physicians and Surgeons; and of John E. Bangs, of the Township of Stanbridge, Physician and Surgeon; praying for the passing of an Act granting to them the like privileges as those conferred on certain persons by the Act 14 & 15 Vic. cap. 105, amending the Act to incorporate the Members of the Medical Profession in Lower Canada.

Of Sir Allan N. MacNab and others, of the City of Hamilton; praying an Act of Incorporation as an Association to provide for the destitute Orphans of the said City.

Of the Reverend Samuel S. Wood, Chairman, and others, the Committee of Management of the Three Rivers Academy; praying for aid in behalf of the said Institution.

Of Marcelle Michaud and others, of the Township of Whitworth, County of Rimouski; praying for aid to improve the Roads and construct Bridges in the said Township.

Of Rowland Burr, Esquire; praying that the Law regulating trials by Jury in Upper Canada may be so amended as to dispense with Juries, except in cases where parties desire the same, leaving decisions in matters of fact as well as of law to the Judge or Judges presiding at such trials, similar to the system now prevailing in the Division Courts of Upper Canada.

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Of Antoine Paquet and others, of the City of Quebec; praying for the repeal of the Act for regulating the shipping of Seamen at the Port of Quebec.

Of Messieurs Charles E. Levey and Company, and others, Shipbuilders, and others interested in the Trade of Quebec; praying for the passing of an Act to permit all articles imported and used for Shipbuilding purposes to be imported free of duty.

Of John Ross, of the City of Quebec, Esquire; praying to be reimbursed a certain amount of money paid by him, under protest, as Duties on articles imported by him from Nova Scotia.

Of J. Forbes and others, of the City of Quebec; praying aid to construct a Public Wharf at old Bic Harbour.

Of William Newell and others, of the City of Quebec, Traders and Petty Chapmen; praying for the passing of an Act to remove certain restrictions on their trade at the said City.

Of the Reverend George Mackie, D.D., and others, the Committee of Management of the National Schools at Quebec; praying aid in behalf thereof.

Of the Reverend N.C. Fortier and others, of the County of Bellechasse, and of the City of Quebec; praying for aid to construct a Pier at St. Michael's Cove, in the said County.

Of the Municipal Council of the United Counties of Stormont, Dundas, and Glengary; praying for certain amendments to the Common School and Municipal Corporations Acts.

Of the Mayor, Aldermen and Citizens of the City of Montreal; praying for the passing of an Act to amend the Act 14 & 15 Vic. cap. 128, so as to enable the said Corporation to consolidate the Debt of the said City by raising a Loan in England, or elsewhere, for that purpose.

Ordered, That the Petition of Donald Fraser and others engaged or interested in the Cod Fisheries in the Gulf of St. Lawrence, be referred to the Select Committee appointed to enquire and report upon the state of the Fisheries carried on in the Gulf of the St. Lawrence, and on the Labrador coast, by the Inhabitants of this Province.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Fifth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petitions of John Mills and others,--and of the Municipal Council of the Town of Port Hope, and find that the requisite Notices have been given.

The Petition of V. Guillet, Esquire, and others, prays for the passing of an Act to facilitate the administration of the new Diocese of Three Rivers, including (amongst other matters) authority to impose a rate within the Parish of Three Rivers for the erection of a new Church therein. Your Committee are of opinion that the matter last mentioned is the only part of the Petition which comes under the provisions of the 64th Rule, and of this no Notice has been given by the applicants; as however it has been proved to the satisfaction of Your Committee that a public meeting of the Parishioners was held, whereat Resolutions in favor of the rate were

unanimously adopted, Your Committee would respectfully recommend that the usual Notice be dispensed with.

The Petition of the Corporation of the Toronto House of Industry for an Act to define their powers, is not of such a nature as to require the publication of Notice.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 1st instant, praying His Excellency would be pleased to cause to be laid before this

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House, copies of all Correspondence which may have taken place between Her Majesty's Government in Canada, or any Member thereof, and the Imperial Government, on the subject of the Clergy Reserves, since the 1st June, 1851.

For the said Return, see Appendix (T.)

Ordered, That five hundred copies of the said Return be printed in the English and French languages for the use of the Members of this House.

Ordered, That Mr. Brown have leave to bring in a Bill to abolish the Rectories.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday the twentieth instant.

Ordered, That Mr. Brown have leave to bring in a Bill to repeal such Clauses of the Common School Acts of Upper Canada as authorize the establishment of Sectarian Schools endowed with the public money.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday the twenty-third instant.

Ordered, That Mr. Brown have leave to bring in a Bill to provide for the more convenient assembling of Parliament.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday the sixteenth instant.

Ordered, That Mr. Dixon have leave to bring in a Bill for confirming the Title of the Agricultural Society of the United Counties of Middlesex and Elgin to a certain tract of Land therein mentioned, and for other purposes relative to the same.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

On motion of Mr. Mackenzie, seconded by Mr. Wright of the West Riding of York,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying for a Return of all Officers or Servants appointed to any place or office in or connected with the collection of the Customs Revenue during the last two years, stating to what offices severally appointed, the date of each appointment, the income in each case, and whether such income has been increased or diminished, and by how much; distinguishing all the new offices and places created, and stating by what authority and order each new office has been created, and shewing, where possible, the necessity warranting such increase; and a Return of the public monies expended within the last four years in payment of the expenditure for missions to Washington, Halifax, and London, for purposes connected with Financial or Railway business, or Reciprocity of trade, stating the amounts severally so paid by the Receiver General, and to whom paid.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Gouin have leave to bring in a Bill for avoiding doubts as to

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the true meaning of a certain enactment in the Act regulating Elections of Members of the Legislative Assembly.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of the Honorable Mr. Chabot, seconded by Mr. Lemieux,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause the proper Officer to lay before this House, copies of all Despatches and Correspondence between the said Colonial Office and the Government of this Province, relative to the different Tenures of Land in Lower Canada, since it has been under British rule.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

A Bill for avoiding doubts which might otherwise arise from the Act making alterations in the Territorial Divisions of Upper Canada having come into effect since the last General Election, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That the Honorable Mr. Hincks do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the House in Committee on the First Report of the Standing Committee on Miscellaneous Private Bills, being read;

Ordered, That the said Order of the day be postponed until Monday next.

The Order of the day for the second reading of the Bill to extend the provisions of an Act, intituled, "An Act for better securing the independence of the Legislative Assembly of this Province," being read;

Ordered, That the Bill be read a second time on Thursday next.

The Order of the day for the second reading of the Bill to amend an Act passed in the eighth year of the Reign of Her Majesty to incorporate the St. Lawrence and Atlantic Railroad Company, and to extend the powers of the said Company, being read;¹

MR. PROV. SEC. MORIN moved the second reading of the bill to amend the St. Lawrence and Atlantic Railroad Act.²

MR. AT. GEN. DRUMMOND explained that the object of the bill was to enable the³ St. Lawrence and Atlantic Railway Company to extend their line some fourteen⁴ or fifteen miles on the American side of the line, but it was provided that neither the guarantee of the government, nor any of the⁵ other⁶ creditors of the company should be effected [sic] by it.⁷

MR. MACKENZIE said, that he could not let that opportunity pass, without asking of the government an explanation of the job, by which⁸ one member of the present Government⁹, the Commissioner of Public Works¹⁰, had got out of the other members of the Government, the means of obtaining from his fellow stock holders \$16000¹¹ for getting an alteration made in an act of Parliament by his friend, the Inspector General¹². He had heard the hon. member in question explain that as well as he could; but for his part he did not think the explanation explained it at all in a satisfactory manner. He thought the interference of the Government in granting all these favours to companies was bringing disgrace upon it. Look at the manner in which insinuations were bandied about with respect to the other railways. And while all these things were going forward, not a book or a statement or anything else was sent down whereby the House could see in what position the country stood. For his own part he could not understand what the St. Lawrence and Atlantic Company wanted with this

privilege for which the bill was required.¹³

MR. PROV. SEC. MORIN said a few more words in explanation; but did not add anything to what had been already said by Mr. Drummond.¹⁴

MR. BOULTON said that unless the Stockholders in the Company were aware of what was going on they might be seriously injured by the increased liabilities, which the Company would incur under the Bill.¹⁵

MR. AT. GEN. DRUMMOND rose to say that¹⁶ notices had been given in the newspapers in the usual way; and repudiated the idea¹⁷ that he could be called on¹⁸ at the will of Mr. McKenzie to answer for Mr. Young's private commercial transactions¹⁹ as a merchant before he joined the government, and [he] further [stated that] after the explanation given by that gentleman the other evening, the member from Haldimand could not give his demand in good faith, and that it was an unjust personal attack. Mr. Young's explanation he considered quite sufficient to satisfy any intelligent person²⁰.

Motion carried.²¹

The bill was then referred.²²

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The Bill was accordingly read a second time; and referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

The House, according to Order, resolved itself into a Committee to take into consideration certain proposed Resolutions upon which to found an Address to Her Majesty, praying that She will be pleased to sanction the introduction into the Imperial Parliament of an amendment to the Act of 1846, by introducing the same principle of Reciprocity retained in the Act of 1849.²³

MR. MERRITT then moved an Address to Her Majesty in relation to amending the Navigation Act of 1845. It was said that the resolutions which he now moved and which were moved by him last year, neither suited protectionists nor free traders. That very fact was why he had hoped they would pass, since their simple object was not to raise the price in England, but to obtain justice to the Canadian grower. He wished it to be understood that he sought no protection in British markets; but he knew that this subject was not understood in England. It was not understood there that there was a method of obtaining reciprocity through the aid of the Home Government. Here we could do nothing to obtain the reciprocity. The Americans had all the advantages of the trade and meant to keep them. It was well known that wheat and oxen raised on this side [of] the border were 20 per cent less in value than on the other side. Such a state of things was the high road to annexation, for men who raised their bread by their labour could not fail to be dissatisfied. England, then, if she understood this, must let the United States know that the pressure from Canada would oblige her to put on the produce of all other nations the same duty which they placed on her produce or on those of Canada. This was what we wanted and what he was convinced the British Government would grant. He showed that Adam Smith, Jefferson, and other authorities believed retaliatory duties justifiable under some circumstances, and that reciprocity was the rule in the United States, and proceeded to explain more in detail the object of each of them, contending that Sir R. Peel was the first statesman, who departed from the principle of reciprocity, and that it would not raise the price of breadstuffs in England to admit the produce of all nations free of duty providing those nations did the same. On the other hand the United States would be compelled in a single day by such a course as was proposed, to put Canada on a footing of equality, for their trade with England under the present system, had increased beyond all calculations, and they would not be willing to sacrifice this for the sake of taxing the comparatively trifling trade with ... [Canada]. He concluded by saying that

he would not take up the time of the house longer; but would at once move the following resolutions:--

1. Resolved,--That in the opinion of this House in consequence of the omission in the Imperial Act 9 and 10 Vic., cap.223, for the repeal of the Corn Laws, of the principle Reciprocity, (since embodied in the 10th and 11th Clauses of the Navigation Act 12 and 13 Vic. cap. 20,) the Government of the United States have continued to exact 20 per cent. duty on the productions of Canada, although the duty is removed in England on similar articles, [which are] the production of the United States.

2. Resolved,--That it is a well known fact that whenever Markets are higher in American than in England, the price of the productions of Canada are lower than in the United States; and that when Markets are higher in England, the prices of Canadian produce still range as much lower as the charges imposed by the bonding system in passing through the United States, and so long as the present laws are in force, under no circumstances can prices be higher.

3. Resolved,--That the Legislative Assembly of this Province have on no occasion since the Imperial Act of 1840, addressed the Home Government for a return to Protection, or for any exclusive favor in the Markets of Britain, neither do they now ask for any such advantage for any measure which will increase the price of Bread to the British consumer for the benefit of the Canadian producer. Under the principle of Reciprocity, no duties will be imposed on the importation of the breadstuffs of Great Britain or Canada into any other Corn growing country, consequently the productions of all Foreign Nations coming in duty free, prices cannot be increased, and in order to remove all apprehension from the minds of the consumer on this subject, even the breadstuffs from the Western States can be admitted through Canada into England, duty free, in the same manner as before the repeal of the Corn Laws, in case the United States persist in continuing their present duty.

4. Resolved,--That it is accordingly desirable that an humble Address be presented to Her Majesty, most respectfully praying that She will be pleased to recommend to the Imperial Parliament to enact that Her Majesty may, (if she thinks fit,) by Order in Council, impose duties on the productions of those Foreign Nations, who impose duties on grain and breadstuffs of all kinds, fruits, seeds, animals, hides, wool, cheese, tallow, horns, salted and fresh meats, ores of all kinds, gypsum in stone or ground, ashes, wood, and lumber of all kinds, the produce and build of Great Britain and Canada, when imported direct from any Atlantic ports within the country, and to repeal so much of the first clause of 12th and 13th Vic.; as revives the fifth clause of 8th and 9th Vic., conferring advantages on vessels of the United States, which they withhold from those of Canada,--the said duties and restrictions to continue so long and no longer than similar restrictions are continued by other nations.

5. Resolved,--That the only object entertained by this in urging this measure is, that Her Majesty's subjects in Canada may be placed on an equal footing with the citizens of the United States. This object, moreover, is in strict accordance with the past policy of the American Government which, in 1831, in order to meet the provisions of the Imperial Trade Act, Geo. 4, passed the North Eastern and North Western Boundary Act, which removes all fees and customs charges on vessels or other craft between Great Britain and the United States. Again, in 1849, in order to meet the provisions of the Imperial Act of that year, they admitted British Shipping into American Ports on the same terms as their own vessels, under the provisions of an Act passed some years previously; and had the same principle been introduced by the Imperial Government in the Act of 1846, the duty on Canadian breadstuffs would have been immediately removed; and no doubt if it be hereafter introduced, subject to the discretion of the Queen in Council, the American Government will feel it their interest to pursue a similar policy in this instance [sic], and remove all duties on the productions of Canada. Neither do the advantages now sought for lead to any infringement [sic] of the commercial policy of the Mother Country, for so early as 1825, the 32nd clause of the Imperial Act 6 Geo. 4., cap. 114, imposed the same Tonnage Duties on American Vessels importing goods into either

Province of Canada, as are or may be for the time being payable on British vessels in the United States; and so late as 1849, the Act 12 and 13 Vic. before mentioned, secures to British ships and British trade the same advantages it convers on Foreign ships and Foreign trade, so far as relates to transportation.²⁴

MR. INSP. GEN. HINCKS said he had stated on a previous occasion, when the member for Lincoln intimated his intention to move the House into Committee of the Whole on this subject, that the Government would not throw any impediment in the way of that gentleman²⁵ [nor] did ... [the] Government ... desire to offer any opposition to these resolutions;²⁶ but they conceived that the measure he proposed was useless; and he would now say that he did not believe that any one but the member for Lincoln himself believed that it was of the least use to attempt to induce the British Government to re-impose protective duties on grain²⁷ [or] corn²⁸. The gentleman had said that the adoption of the course he proposed would not have the effect of raising the price of bread in England one farthing; but if the price were regulated by the supply and the demand--and of that there can be no doubt--it must be evident that the exclusion of the Americans from the markets of England must have that effect immediately; and if the people of England were induced, for the benefit of a majority of the population, to sacrifice, as some have asserted, the interests of a very large class among themselves by throwing open their markets to the world, he would ask if there was any probability that they would re-impose protective duties for the benefit of a similar class in Canada? There is a very simple way of getting at the merits of the gentleman's proposition; suppose that the price of wheat in England is 80 cents per bushel, and that the duty of 20 percent would cause a deduction of 16²⁹ cents³⁰ to be made from the price paid to the American producer, the nett sum he would receive would be only 64 cents per bushel, as the Americans are likely to be large producers for a considerable time, it necessarily follows that they would be driven to those markets where they could obtain a higher rate of remuneration for their labour--say Holland, where they would be able to obtain 75 cents per bushel. The consequence would inevitably be that the price of grain in other countries would be lower than in England, because of the restricted supply that she would receive, and that is precisely the state of things that the people of England are so anxious to avoid, as it is absolutely necessary to them that they should be enabled to procure food at the lowest scale of prices which obtains in other parts of the world³¹ --she was obliged to keep her food at a price that would enable her to compete with other nations.³² The gentleman is, therefore, wrong in saying that his proposition could not have the effect of raising prices in England, for it is perfectly clear **that** the restriction of the supply must have that effect, and that public opinion in England is strongly opposed to any such scheme. There can be no doubt that if the gentleman's scheme were carried into effect, it would have the result that he desires³³. This would be the most effectual measure to compel the Americans to grant reciprocity if it could be obtained³⁴. He (Mr. H.) never denied that, but he would say, that if he were an English statesman, and a measure of this kind was proposed for his consideration, he would reply, "this is not the mode you Canadians should ask the people of England to pursue to obtain free trade for you." There are other modes of effecting this object, and³⁵ he would inquire in return whether Canada could do nothing for herself.³⁶ He could not agree in opinion with the member for Lincoln that we do not possess the means of pressing them.³⁷--He thought she could.³⁸

MR. GAMBLE--Try them.³⁹

MR. INSP. GEN. HINCKS--The gentleman from South York, says "try them"⁴⁰, but if he (Mr. H.) were to propose the next best measure; he meant the stoppage of the canals to Americans, he well knew that an outcry would be raised by the hon. member for Lincoln about a few thousand pounds of tolls⁴¹. Up to the present time it would not have been expedient to press any measure which would bear the appearance of a retaliatory enactment. It may be a question whether that time has arrived even now. The Imperial Government will very naturally say to the member for Lincoln, "you ask

us to impose restrictions on our commerce for the benefit of interests in which we are concerned in no way whatever, and to oppose ourselves to the public opinion of England, whilst you refuse to put yourselves to any inconvenience for the purpose of ultimately securing your own property." It would be easy to point out a method that would be equally efficacious with that of the member for Lincoln, but if it were proposed that gentleman would at once start up and denounce in fierce terms the refusal of that privilege which American vessels now have, of passing through our canals. The gentleman would not be willing to run the risk of losing the few paltry thousands which we now obtain as tolls from American vessels, but he is perfectly willing to go to England and⁴² coolly⁴³ call on her⁴⁴ to tax the food of her millions⁴⁵ [by adopting] a system of policy which it is evident that no English statesman would venture to propose. If, however, there was anything like a general feeling in the House,--and it is but reasonable to suppose that there is not a single member who would not be glad if England would put on this duty on American corn; but the question is a question of expediency. It is whether the House would be justified in making a request which they knew would be refused--if there was a general feeling in the House in favour of the passage of the resolutions, he should propose that they be referred to a committee of five or seven members, for the purpose of putting them in a somewhat different form. He should not oppose their passage, because he was in favour of the principle, although he doubted the usefulness of making the request.⁴⁶ If the House were in favor of the resolutions he would move their reference to a committee to be drafted.⁴⁷

MR. ROBINSON supported the resolutions at some length, and read various extracts to show⁴⁸ from the legislative proceedings in the sister Provinces, that these resolutions asked nothing more than those other colonies were disposed to ask also⁴⁹ [and] that other colonies were quite ready to act with Canada in the matter.⁵⁰ [He] urged upon the government the propriety of endeavouring to get the Lower Provinces to join in an address to Her Majesty embodying the principle of the resolutions before the committee.⁵¹ He desired to open a negotiation with those Provinces in order to take if possible some united steps, and declared that the people of all the Britise [sic] Provinces could not help being dissatisfied at the present state of things. He was sorry however to hear even allusion made to the closing [of] the canals, and⁵² he deprecated the project ... believing that it would produce very disastrous results; and⁵³ hoped the hon. member had no serious intention of the kind.⁵⁴ [He] stated that he had in his possession several letters from American gentlemen supporting him in his views.⁵⁵

MR. STEVENSON was in favour of the resolutions⁵⁶. [He] said it is not to be supposed that the Government of Britain would impose a permanent protective duty on imports from the United States; but, if it did impose such a duty, and intimated to the United States that it would be maintained until reciprocity of trade is granted with this Province, he had no doubt that that measure would be accorded at once. One benefit that he thought might be derived from the passage of the resolutions, would be the knowledge they would force on the English people of the wants and wishes of the Canadians. He was willing to go further than some gentlemen, and to prove to Britain that we are desirous of increasing the commercial ties between the Province and the mother country, and to take her manufactures on more favourable terms than those of the United States. This would not be an inconvenience but a direct benefit to us, for the manufactures of Great Britain do not interfere with the manufactures of this Province, as the American manufactures do from the fact that they are similar in kinds. He trusted that before the present motion closes, this subject would be taken into consideration, and that such an alteration would be made in the tariff as to effect reciprocity with the Americans; as they will not reduce their scale of duties to the same level as ours, let us establish reciprocity by raising our tariff⁵⁷ on every article of trade,⁵⁸ so as to meet theirs. To this proposition, no one possessed of any common sense could object.⁵⁹ He trusted the resolutions would be passed.⁶⁰

MR. GAMBLE believed that this was a favourite scheme with the member for Lincoln, but he did not believe that⁶¹ the resolutions would have the slightest effect in England⁶². He did not believe that the people of England do not already understand the whole subject; it has been too often pressed on their notice to permit any suspicion of ignorance, but the simple fact is that they do not feel any interest in it. The effect of the gentleman's proposition, in plain words,⁶³ was [that] it would reimpose the English Corn laws, which were definitively abolished since there was hardly a nation whence England drew her supply of corn that would admit our produce free of duty.⁶⁴ Without wishing to throw any obstacle in the way of the gentleman, he must say that he conceived it to be utterly useless to call on the people of England to help us in this matter, and he should propose that we should go to work and help ourselves⁶⁵ [by] building up a market [of our own.]⁶⁶ In our position as colonists we are utterly helpless, and cannot hope to compel the Americans to open their markets to us; we cannot even impose the American tariff on their imports into the Province, as Great Britain would not consent to such a measure.⁶⁷ He had no objection, however, to the resolutions, and⁶⁸ not wishing to occupy more of the time of the House in the discussion of resolutions which are not likely to produce much effect, he would state his intention to support an address containing their spirit, if it were framed by a committee.⁶⁹

MR. BROWN said it appeared to him that the question before the House was of great importance to the country, and he was much astonished to find that the Inspector-General had chosen to pursue his present course with regard to it.⁷⁰ Upon the treatment of the present matter depended the future course of the government on the great question of Free Trade or protection.⁷¹ Mr. Brown demanded to know the commercial policy of the government, he feared from what he had heard on both sides of the House that the Ministry were going to rush into protection, and a retaliatory policy in closing the canals. He contended that the government were bound to avow that line of policy they intended to pursue, or to say if the resolutions had their support.⁷² It was most astonishing that that gentleman, having the care of the commerce of the country in his charge, should get up and say that he would not oppose this measure, which seeks to re-establish a protective duty on corn, solely because he thought it would not be granted. The principle contained in these resolutions is tantamount to an entire change in the commercial policy of this country.⁷³ The principle of the address was retaliation on the Americans--were the Government prepared to enter on such a policy? If they asked Great Britain to retaliate on the Americans, could they escape from pursuing the same policy themselves here? Is this address to be the commencement of a series of retaliatory measures on the part of Canada? If it was not, it was worse than folly to be making a bravado with an address which the Inspector-General himself declared useless; and if it was, then such an important question should not be slipped in upon the House in this way by a private member--but taken up manfully and deliberately by the Government.⁷⁴ [It] should be brought in⁷⁵ as a ministerial measure⁷⁶ by the Cabinet, if the Cabinet approve of it; if they do not approve of it, they are bound to oppose it. From what was said by gentlemen on both sides of the House, it was clear that this proposition was looked on as the commencement of a retaliatory system; and if the House chose to adopt such a plan of operations, it should be undertaken calmly, deliberately, and after each member had been afforded sufficient time to reflect upon all its consequences. It should not be undertaken rashly, nor should the first minister of the Crown be heard to say in his place that he would not oppose it, but that he considered it perfectly hopeless. It was extremely difficult for gentlemen at that moment to approach the question in such a manner as to decide on it with mature judgments. Almost without preparation, they were plunged into the consideration of one of the greatest and most important questions that could come under the consideration of the House, and for his part he must confess that he was unwilling to proceed any further in it then, more particularly as the Government appeared to be totally unprepared to say what their views were, and whether they were

in favour of a protective policy such as these resolutions would establish, or the present free trade policy.⁷⁷

Several other members ... [spoke]⁷⁸.

MR. DIXON also felt that it was absurd, after the result of the last English elections, to hope to return to the principle of duties on breadstuffs. But instead of asking Great Britain for assistance he would try to assist himself. He would try by putting duties on American goods to place Canada in the same position as them. As to closing the canals it was the last thing that he would attempt, for the canals were built for our own benefit, and to close them would be our own injury. All that he would do with the canals would be to make the Americans pay for passing--make them pay just as much as they could without driving them to make other canals.⁷⁹

MR. SANBORN remarked that Mr. Hincks had said the best means to obtain reciprocity would be to adopt the course asked for by Mr. Merritt. Now that being so, did not the hon. member think that British statesmen would see it, as well as himself; and would do for her colonies what they had so much reason to desire? He thought there was no reason why Canada should not at least ask what seemed so likely to be productive of benefit to the colony, in the hope that Great Britain might adopt a temporary and retaliatory measure.⁸⁰

MR. CLAPHAM considered it the duty of the Mother Country to protect and foster this country, so long as she was a colony, and she might protect the breadstuffs of Canada by imposing a duty on them, without at all increasing the prices in England. He believed this duty might be extended to 4s. in favour of Canada. He did not believe with the Inspector General that England would not reconsider the question of duties on breadstuffs. It was well known that nations were liable to change their opinions; and it was also known the free-traders were ready at one time to grant 4s. a quarter.--This was then spurned by the Protectionists; but they would be now too glad to get it, though they knew it would not raise prices. He, therefore, desired a duty of 4s. imposed on all wheat entering England, except from the colonies; and he would be willing to offer, in case that were done to take 2½ per cent off the duties on British manufactures. He then read some electioneering document, purporting to come from the operatives of Manchester, in opposition to the free-traders of that city. There would then be a reaction in England, and Canada ought to try to encourage it. As to forcing manufactures, he did not believe it was possible. Even in England it was impossible, and much more [so] in this country. He therefore was in favor of reducing the taxes on English goods, in the manner he had described; and he thought also that a similar feeling of alarm might be produced in England to that lately experienced there, on account of the diversion in Australia of labour from agriculture to mining, by pointing out the possibility of our accepting the protection of the United States, and of the consequent loss of Canadian timber, which could be replaced by no other in the world.⁸¹

MR. RIDOUT asked for information. Were not resolutions like these introduced at the last session, and withdrawn in consequence of the expectation that the government would change the commercial policy of the country?⁸²

MR. MERRITT said no. They were postponed to await the event of negotiations in Washington.⁸³

MR. RIDOUT, well it seems as if the Inspector General contemplated such a change now. In the event of that being so, he would like to know whether the passage of the present resolutions would have any effect upon that intention?⁸⁴

MR. INSP. GEN. HINCKS, without giving any answer as to the intention of the government, said that that intention would not be influenced by the passing of the present resolutions.⁸⁵

MR. RIDOUT would, had the answer been different, have, perhaps, hesitated to vote for these resolutions, for he hoped much more from what could be done by ourselves than from anything that would be done by Great Britain. He did not regret the money spent in Washington on embassies, for those embassies would now justify retaliatory duties.⁸⁶

MR. CHRISTIE felt all the dissatisfaction spoken of by Mr. Merritt at the difference of prices between Canada and the United States; but he was opposed to voting an address which was perfectly useless, and which was also based upon a system which the agriculturists repudiated--he meant the system of protection. The agriculturists reasoned thus: we have to compete with the whole world in the production of breadstuffs--why then should we be asked, since it is impossible to give us protection, to take upon ourselves the charge of protecting manufactures, and so paying more than is necessary for the goods we require to consume. He opposed these resolutions, first, because they were useless, and second because they were based on the protectionist theory, to which his constituents were entirely opposed.⁸⁷

MR. MACKENZIE remarked that this question was a most important one, for upon it depended in some manner or other the loyalty of the people of the country. It was the inferior position of Canada which led to the annexation movement in Montreal, and he blamed the government for dragging from office men who had done no more than had been done by British statesmen in the Houses of Parliament. It was all very well to talk of shutting up canals and rivers, but the effect would be as bad for ourselves as others. In the meantime the heavy debt and the cost of collecting duties, &c., was constantly being increased. Great Britain would not abolish her new policy; and would continue to press her goods into every market where she could get them, as she did in Europe in 1802, and was doing in the United States by the tariff of 1846. She now had so large an export to the United States that she would never risk it by doing what these resolutions asked for. Nor would the United States give reciprocity; both parties there said that there would be reciprocity when Canada joined the Union. That might perhaps happen when the States split up; but in the meantime could nothing more be done than this petition to the British government? He denounced the idea of a protective system however, as thoroughly impossible in a country with geographical peculiarities such as those of Canada, where high duties must be constantly countervailed by the operations of the smuggler.⁸⁸

MR. BROWN was certain that every one must be convinced from the tone of the debate that the House was not in a position to continue it; he should, therefore, move that the Committee rise and ask leave to sit again. He did not approve of the proposed reference to a special committee, for it must have been rendered evident to all that it was the most important question of the Session, and⁸⁹ [he] again contended that our whole commercial policy was involved in this measure⁹⁰. The responsibility of moving in it should rest on the Government alone. He would suggest to the gentlemen on the Treasury benches that it was a somewhat novel sight⁹¹ and that ... the country would cut ... [a] pretty figure ... when the people in England saw Canada⁹² one day, rejecting⁹³ £4,000,000⁹⁴ [OR] £7,000,000⁹⁵ of money with contempt⁹⁶ and, the next, going on our knees to England⁹⁷ for this paltry assistance⁹⁸ begging that she would place a protective duty on corn for our benefit, whilst threatening to cut the connection if she will not do so, and, the next day,⁹⁹ [OR] in two or three days¹⁰⁰ affirming her determination to sever the connection if she will not pursue a certain course with respect to the Reserves.¹⁰¹ He moved that the committee rise and sit again at the end of a week.¹⁰² He was of opinion that a week's notice, at least, should be given before the House was called on to take action.¹⁰³

MR. MERRITT spoke in reply.¹⁰⁴ [He] hoped that the House would not again, be forced to go into committee on the resolutions, for he intended to follow the suggestion of the Inspector General, and move that they be referred to a Special

Committee. On the report of that Special Committee the House would again have to go into Committee.¹⁰⁵

MR. BROWN's object was to induce the Government to take the matter in charge. He desired that the House should not stand committed to the resolutions.¹⁰⁶

MR. MERRITT said it was apparent, from the tone of the debate, that these resolutions were looked upon by some gentlemen as a protective measure, while the protectionists objected that it did not go far enough in that direction. To satisfy those gentlemen, he would tell them that there was not a single principle of protection involved. He was surprised that any one should take that view of the subject. If it affirmed the principle of protection, he should take a very different view of the subject, for he remembered, very distinctly that Sir Robert Peel, in one of his speeches, laid it down as an axiom, that a profit of fifteen per cent would be sufficient to induce the evasion of all the coast-guards, revenue-laws, and revenue-officers in France and England. If that were the case there, it would be absurd to suppose that we can protect ourselves against the United States, with our enormous frontier. The member for Kent says it is a protective measure, and denounces the Inspector-General for not opposing it, as being in contradiction to his policy; but the Inspector-General, no doubt, was fully acquainted with the importance of the question, and although indisposed to render him any assistance, was well aware that it was not the principle of protection which these resolutions contained. In reply to the argument that it would shut the corn of the United States out of the English markets, he would say that it would have a totally different effect; that corn would still go to England, but with this difference, that instead of going through New York, as at the present moment, the whole of the surplus grain of the great valleys of the west, above us, would find its way thither through the channel of the St. Lawrence; and the more the question was discussed, the more that would appear to be the case. For that reason he would accede willingly to the suggestion of the Inspector-General, that the subject should be referred to a special committee, feeling convinced that when it was properly understood no one would be found to vote against it.¹⁰⁷

MR. INSP. GEN. HINCKS desired to make one or two observations in reply to the member for Kent, and other gentlemen who had taken part in the debate. He denied altogether the importance of these resolutions in the light in which it was stated by the member for Kent. Over and over again during the last few years addresses¹⁰⁸ of a similar character¹⁰⁹ to the one proposed have passed the House, when a majority of the gentlemen assenting to them, and a majority of the population, were convinced that they would have no effect--and they have had no effect. He referred, more particularly, to the address on the subject of the timber duties. As to the mere principle involved in these resolutions, he did not believe that the strongest free-trader in Canada, would have any objection¹¹⁰ to the principle of the resolutions before the House¹¹¹, [or] to the imposition, by England, of a duty on the corn of those countries which did not reciprocate with her; nor, he supposed, would any free-trader in Canada object to the imposition of a duty on American corn, until the United States granted us reciprocity of trade. His only objection to the proposition of the member for Lincoln was, that it would be perfectly fruitless, but he did not choose to put himself in such a position as to permit that gentleman or any one else to go through the country and say that the Government put itself in opposition to a measure which might have had the effect anticipated by him, of forcing the United States to reciprocate with us. He was ready to give the gentleman a chance of trying what England would do, although he knew that it was useless to make the trial. One thing is certain; the effect of such a measure would be to restrict the supply of corn in the English markets, and consequently cause a rise in prices; with such a result in view no English statesman would think for a moment of acceding to it. The member for Sherbrooke said, that if the proposed measure were likely to prove efficacious, the English Government would at

once step forward and act upon it, but the answer to that is, simply, that no Englishman statesman could take such a step. However well he might be convinced of the fact himself; or, however thoroughly he might be able to convince his colleagues in the Cabinet that such a result would follow, it would be impossible to shut the eyes of the people to the truth, that it would restrict the supply of corn, and therefore it would be out of his power to carry it through the House of Commons. If the House was still of opinion that the resolutions should pass, he (Mr. H.) was desirous that they should be referred to a committee of gentlemen who agreed with the member for Lincoln in opinion, and that they should report a set of resolutions, after they have fully discussed and digested the question. It would be much the fairest plan to that gentleman, and to those who shared his views. In reply to the member for London, who had given utterance to an opinion which was very freely enunciated, that the Government of this Province had assumed a very¹¹² humiliating and degrading position¹¹³ in supplicating for free-trade from the United States, he would ask if the position she assumed was different from that which the greatest nations have taken on similar questions.--¹¹⁴ It was the custom for powerful nations even to urge weak ones to alter their commercial policy and they continued to do so. England had frequently stood in that position; and¹¹⁵ had ... sent out ambassadors to the most paltry courts in the world to endeavour to induce them to make changes in their commercial policy as she desired. It is the duty of the Government, by every means in its power, to urge upon the United States such a change in that policy as long as they maintain one in opposition to our interests, and it is a well known fact that the British Minister at Washington has, for years past, pressed¹¹⁶ our claims to reciprocity¹¹⁷ on the American Government whenever opportunity offered. And he would say,--when asked whether he had given up all hopes of obtaining reciprocity from the United States--he would say that he had not given up all hope, for the following reasons:--we find that the existing Administration elected on a protective policy, within a few months past recommended to Congress a free-trade measure; and, judging from the political aspect of the day, there is every probability that a free-trade President will be elected next November, and that there will then be an entire free-trade administration, such were the rapid strides that free-trade and free-trade policy are making in the United States.¹¹⁸ He did not despair of reciprocity but thought our prospects good for obtaining it. We had given up everything that we had to offer in exchange, and our error was that we had not stipulated for reciprocity when the free trade measures were passed.¹¹⁹ He also had reason to believe that the Committee on Commerce in the House of Representatives would have reported a bill for the purpose of establishing reciprocity of trade, if it had not been for the difficulty about the fisheries; it would have been useless to do so after that event, as declarations were made in the newspaper press and in the Senate, which showed that no such proposition would be entertained while the fishery question was still in abeyance. Another reason is, that so little interest has been felt in the question that it has been impossible hitherto to take it up¹²⁰--if any interest in the United States asked for reciprocity we should obtain it. He remarked on the effect of closing the Canadian Canals to the Americans, and contended that that would ruin a large portion of the Western trade and the cities of Oswego and Ogdensburg, besides affecting seriously the New England railways. He believed that this would create an interest that would obtain us reciprocity. No party in the United States had any strong feeling in relation to the matter.¹²¹ Scarcely any class in the United States feels any interest in it, and no one feels any strong disposition to oppose it, for the reason that the United States have obtained from us almost everything that it was in our power to give. It will be remembered that the only action hitherto taken by Congress on the subject was, the consideration of a bill which passed through the House of Representatives without a single dissenting voice; if it were possible to get the subject up once more, it would very possibly pass with equal unanimity.¹²²

MR. BROWN contended that it was of the first importance that the Government should avow its policy upon the commercial policy of the country.¹²³ [He] observed that the Inspector-General had repeated his remark that it would be useless to pass the address, because no English statesman would dare to give it his assent, and yet he said that he would not assume a position before the country which would enable the member for Lincoln to say that the Government had opposed it. No doubt most Governments would like to occupy such a position as would enable them, when difficult questions came up, to shirk all responsibility and throw it upon individual members; but the Inspector-General should remember that he was placed in his present position for the express purpose of protecting the Government and the country from such insidious attempts as that then made. It is his duty as leader of the House, to watch all such movements carefully, to look far ahead, see their effect, and encourage or defeat their objects.¹²⁴

MR. INSP. GEN. HINCKS had stated¹²⁵ his position¹²⁶ distinctly, and he was anxious that the policy recommended by the resolutions should be carried out by England.¹²⁷ He approved of the principle of the resolutions and¹²⁸ he would say that anywhere; but he did not wish to take any part in the proceedings, because¹²⁹ he did not believe it could be¹³⁰--he believed that it would be useless.¹³¹

MR. BROWN understood the gentleman to say, that he was decidedly in favour of this policy in England. Why, how could any one oppose it? If England chose to put a duty of a dollar a barrel on flour, in favour of Canada, what Canadian could oppose it? But there is a great difference between looking up to England for the grant of such a boon as that, and endeavouring by our own exertions to increase the prosperity of the country. This desire of obtaining benefits from England, and of relying upon her for support and aid, has done more real injury to Canada, and kept her back in the competition with other countries more than any other line of policy. But the policy of the Inspector-General was a remarkable one; he was in favour of the resolutions, and yet he would get up in his place and say that the address would be treated with contempt.¹³² [He] condemned the principle of going to England with useless addresses. The effect of such addresses on every subject would be to bring us into contempt in England, and that when we sent any address home on any important subject it would be thrown aside as useless.¹³³ If the English Government have the Authority of Ministers of the Crown for saying that the Parliament of Canada passes addresses with a knowledge that they will be ineffectual, is it not likely that they will be influenced in their course by such a statement? and is it not probable that they may come to view the whole of the addresses--even those on the most momentous questions passed by the Canadian Parliament--as worthy of the same treatment? The course taken by the Inspector-General, so far, was a most extraordinary one, but was fully equalled by the determination not to oppose the addresses, as it would not in any way implicate the Government of this Province in its principles! He will be quite ready to read this address to England, asking for the re-enactment of a protective tariff there, while he seems to think that he is not bound by that act to take exactly the same course here. How is it possible for him to separate the advocacy of protection in England from the advocacy of protection in Canada; or, how is it possible for him to give his assent to an address which will say to the English Government "tax your poor and starving millions for the benefit of us Canadians; but we are indisposed to tax ourselves?" The position of the Government was, in his (Mr. B's) opinion, much to be regretted. On all great questions affecting the commercial policy of the country, they should be prepared to take an active and leading part; but, instead of that, they seemed to view this subject with the utmost indifference, reserving the explanation of their policy until the budget was laid on the table, an event that would not take place for nearly two months yet.¹³⁴

Some further conversation [ensued.]¹³⁵

The committee rose and reported progress.¹³⁶

(108)

and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Malloch reported, That the Committee had made some progress, and directed him to move for leave to sit again.

On motion of MR. BROWN ... the Committee ... asked leave to sit again.¹³⁷

(108)

And the Question being put, That the Committee have leave to sit again:--It passed in the Negative.

MR. MERRITT then moved that the resolutions be referred to a committee of seven members¹³⁸.

MR. BROWN again urged that the Government were bound to assume the responsibility of a question of that importance and avow their commercial policy.¹³⁹

MR. INSP. GEN. HINCKS said it was not the custom in England for the ministry to avow their policy when called upon to do so in the manner that the hon. member for Kent had called upon him (Mr. H.).¹⁴⁰

The motion was agreed to.¹⁴¹

(108)

Resolved, That the said proposed Resolutions be referred to a Select Committee, composed of the Honorable Mr. Merritt, the Honorable Mr. Robinson, Mr. Egan, the Honorable Mr. Macdonald, Mr. Cartier, Mr. Christie of Wentworth, and Mr. Lemieux, to report thereon with all convenient speed.

(109)

The Order of the day for the second reading of the Bill to amend the Laws concerning the Interest of Money, being read;

Ordered, That the Bill be read a second time on Wednesday the fifteenth instant.

The Order of the day for the second reading of the Bill to repeal the Act 14 & 15 Vic. cap. 77, intituled, "An Act to authorize the employment of Military Pensioners and others, as a local Police Force" being read;

Mr. Boulton moved, seconded by Mr. Gamble, and the Question being proposed, That the Bill be now read a second time;¹⁴²

MR. BOULTON moved the second reading of the bill to repeal the act for employing military pensioners as a police force. He made some remarks, contending that the system was pernicious.¹⁴³

(109)

The Honorable Mr. Hincks moved in amendment to the Question, seconded by the Honorable Mr. Morin, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. INSP. GEN. HINCKS did not see that the hon. member had made out a case.¹⁴⁴

(109)

And the Question being put on the Amendment:--It was resolved in the Affirmative.

The amendment was carried without division.¹⁴⁵

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.¹⁴⁶

The Order of the day for the second reading of the Bill to secure Mechanics and others, a Lien on Buildings erected by them in certain Cities of Upper Canada, being read;

Ordered, That the Bill be read a second time on Monday next.

*The Order of the day for the second reading of the Bill to prevent the deterioration of lands and tenements charged with hypothecs, being read;*¹⁴⁷

MR. SICOTTE moved the second reading of the bill to prevent deterioration of lands charged with hypothecs. The hon. member made a few remarks in support of his motion.¹⁴⁸

A few words [came] from MR. LAURIN.¹⁴⁹

MR. AT. GEN. DRUMMOND suggested that the bill be postponed as the principle was of great importance, and he had not yet seen the bill. He did not know it was printed.¹⁵⁰

The second reading of the bill was postponed until Thursday next.¹⁵¹

(109)

Ordered, That the Bill be read a second time on Thursday next.

*The Order of the day for the second reading of the Bill to amend the Act authorizing the formation of Joint Stock Companies for the construction of Roads and other Works in Upper Canada, so as to compel them to keep their Roads in repair, being read;*¹⁵²

MR. GAMBLE moved the second reading of the bill to amend [the] act for formation of Joint Stock Companies in Upper Canada.¹⁵³

(109)

The Bill was accordingly read a second time;

MR. GAMBLE commenced by reading from the present act and remarked upon it, but in a tone of voice that was nearly inaudible in the reporters' box. He was understood to argue that the provisions of the present act were inadequate to compel road companies to keep their roads in repair, and that he proposed to remedy that evil.¹⁵⁴

MR. INSP. GEN. HINCKS knew that there were objections in Upper Canada to the present act and thought the mode in which the gentleman proposed to remedy them was unobjectionable. But he would suggest that the hon. member refer his bill to a select committee. He believed that some means must be devised to make these companies keep their roads in repair.¹⁵⁵

MR. A. WRIGHT (East York) was entirely inaudible in the Reporters' box.¹⁵⁶

MR. DIXON asked if the bill applied to all road companies, including those by whom the government had recently sold roads?¹⁵⁷

Several members said, yes.¹⁵⁸

COL. PRINCE did not see the necessity for the bill, as at present road companies might be indicted.¹⁵⁹

MR. BROWN supported the bill and thought the country was indebted to the hon. member for having introduced it. The roads in some parts of the country were getting in so bad a state that some check was required over the Companies.¹⁶⁰

Motion granted; and bill referred to a select Committee [sic].¹⁶¹

(109)

and referred to a Select Committee, composed of Mr. Gamble, the Honorable Mr. Attorney General Richards, the Honorable Mr. Macdonald, Mr. Christie of Wentworth, and Mr. Wright of the East Riding of York, to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to prohibit the payment to Mechanics and others, in certain Cities of Upper Canada, of wages in goods or by

way of truck, being read;

Ordered, That the Bill be read a second time on Monday next.

The Order of the day for the second reading of the Bill to declare the intention of the Law organizing the Notarial Profession, with respect to the study of that Profession, being read;

The Bill was accordingly read a second time; and ordered to be read the third time To-morrow.

The Order of the day for the second reading of the Bill further to secure the independence of the Legislative Assembly, by prohibiting the Clergy of all Denominations from voting or interfering at Elections, being read;

Ordered, That the Bill be read a second time on Wednesday next.

The House, according to Order, resolved itself into a Committee on the Bill to confer certain powers on Municipal Corporations and Companies to take materials to repair Roads; and after some time spent therein, Mr. Speaker resumed the Chair; and

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Mr. Crawford reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day for taking into consideration the Petition of Joseph Cauchon, Esquire, one of the Members of this present Parliament, for the County of Montmorency, complaining that Louis Célestin Lefrançois, Esquire, the Returning Officer at the late Election for the said County, acted with partiality, and illegally, and praying that he may be summoned to the Bar of the House to answer for his conduct in that behalf, being read;

Ordered, That the said Order be postponed until Thursday next.

The Order of the day for the second reading of the Bill to incorporate La Société des Dames Charitables de la Paroisse de St. Etienne de la Malbaie, being read;

The Honorable Mr. LaTerrière moved, seconded by Mr. Fournier, and the Question being put, That the Bill be now read a second time;¹⁶²

DR. LATERRIERE moved the second reading of the bill to incorporate the Association of Charitable Ladies of St. Etienne de Malbaie.¹⁶³

MR. BROWN, pensant que c'était une corporation religieuse, lui faisait une lutte acharnée¹⁶⁴. [He] rose amid loud ironical cries of "hear" from the French members, to ask the member to postpone his bill.¹⁶⁵ [He] hoped the motion would not be pressed.--The Bill had not been half an hour on the tables of members--he had had no opportunity of reading it--but he saw it contained a clause enabling the corporation to hold real estate worth £1,000 a year. This was the first bill of this nature which had come up this session, and so a general bill would be before the House in a few days, to apply to all such corporations, and the question would then come up, he trusted the motion would not be pressed.¹⁶⁶

Some conversation [ensued].¹⁶⁷

MR. INSP. GEN. HINCKS said he had not read the Bill¹⁶⁸.

Other members pressed for a postponement¹⁶⁹.

DR. LATERRIERE and his confrères would go on.¹⁷⁰

MR. BROWN asked if it was possible, by the rules of the House, to force on a division in this way, on a bill that had not been read.¹⁷¹

MR. J.S. MACDONALD the SPEAKER said it could be done.¹⁷²

Several members then intimated that they must vote against the bill.¹⁷³

MR. COM. CR. LANDS ROLPH s'était évadé pour ne pas voter¹⁷⁴.

MR. INSP. GEN. HINCKS lui-même ... s'était également absenté.¹⁷⁵

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*the House divided: and the names being called for, they were taken down, as follows:--*¹⁷⁶

YEAS.

Messieurs Burnham, Cameron, Chapais, Solicitor General Chauveau, Crawford, Dixon, Attorney General Drummond, Egan, Fournier, Gouin, Lacoste, LaTerrière, Laurin, LeBoutillier, Lemieux, Macdonald of KINGSTON, McLachlin, Morin, Papineau, Attorney General Richards, Ridout, Seymour, Shaw, Sicotte, Smith of FRONTENAC, Stevenson, Street, Taché, Varin, Viger, and Wright of West Riding of YORK.--(31.)

NAYS.

Messieurs Boulton, Brown, Christie of WENTWORTH, Fergusson, Gamble, Hartman, Johnson, Mackenzie, Malloch, Patrick, Sanborn, White, Willson, and Wright of East Riding of YORK.--(14.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to the Standing Committee on Miscellaneous Private Bills.

*Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Seymour,
The House adjourned.*

[NOTICE OF MOTION RE: RESOLUTIONS ON THE SUBJECT OF THE
CLERGY RESERVES.]

MR. INSP. GEN. HINCKS ... [gave] notice of several resolutions on the subject of the Clergy Reserves; setting forth that an address should be presented to the Queen, declaring that the refusal to comply with the just demand of the representatives of the Canadian people, in a matter exclusively affecting their own interests, will be received as a violation of their constitutional rights, and lead to deep and wide-spread dissatisfaction. That this House confidently hopes that when Her Majesty's Ministers shall be convinced that the opinions of the people of Canada are unaltered and unalterable, they will consent to give effect to the promise made by their predecessors, and that this House is confirmed in this hope by the suggestion in the despatch of Sir John Pakington, that Her Majesty's Ministers are prepared to recommend amendments to the Imperial Clergy Reserves Act, with a view to satisfy [sic] the wishes of the Canadian people.¹⁷⁷

[QUESTION AND ANSWER RE: REVISION OF PROVINCIAL STATUTES.]¹⁷⁸

COL. PRINCE [asked a question.]¹⁷⁹

MR. AT. GEN. DRUMMOND stated in answer ... that no steps had yet been taken for revising the statutes of Canada¹⁸⁰ and of the late Province of Upper Canada¹⁸¹ but that¹⁸² it was the intention of ministers¹⁸³ to do so¹⁸⁴ at the end of the present session¹⁸⁵.

FOOTNOTES: 6 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, PILOT, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, BRITISH COLONIST, 14 September 1852, GLOBE, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, and NIAGARA MAIL, 22 September 1852. The following papers reported the debate in partially identical accounts: BRITISH WHIG, 7 September 1852, MONTREAL GAZETTE, 7 September 1852, NORTH AMERICAN, 9 September 1852, BATHURST COURIER, 10 September 1852, and OTTAWA CITIZEN, 11 September 1852.
2. BRITISH WHIG, 7 September 1852.
3. IBID.
4. MORNING CHRONICLE, 7 September 1852.
5. BRITISH WHIG, 7 September 1852.
6. MORNING CHRONICLE, 7 September 1852.
7. BRITISH WHIG, 7 September 1852.
8. IBID.
9. MORNING CHRONICLE, 7 September 1852.
10. BRITISH WHIG, 7 September 1852.
11. MORNING CHRONICLE, 7 September 1852.
12. BRITISH WHIG, 7 September 1852.
13. MORNING CHRONICLE, 7 September 1852.
14. IBID.
15. IBID.
16. BRITISH WHIG, 7 September 1852.
17. MORNING CHRONICLE, 7 September 1852.
18. BRITISH WHIG, 7 September 1852.
19. MORNING CHRONICLE, 7 September 1852.
20. BRITISH WHIG, 7 September 1852.
21. IBID.
22. MORNING CHRONICLE, 7 September 1852.
23. The following papers reported the debate on this matter in identical accounts: BRITISH WHIG, 7 September 1852, MONTREAL GAZETTE, 7 September 1852, PILOT, 7 September 1852, HAMILTON GAZETTE, 9 September 1852, NORTH AMERICAN, 9 September 1852, BATHURST COURIER, 10 September 1852, and OTTAWA CITIZEN, 11 September 1852; MONTREAL GAZETTE, 8 September 1852, BRITISH WHIG, 8 September 1852, GLOBE, 9 September 1852, HAMILTON GAZETTE, 9 September 1852, HAMILTON SPECTATOR WEEKLY, 9 September 1852, BRITISH COLONIST, 10 September 1852, OTTAWA CITIZEN, 11 September 1852 (in a separate account), and NIAGARA MAIL, 15 September 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, PILOT, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, HAMILTON SPECTATOR DAILY, 13 September 1852, NORTH AMERICAN SEMI-WEEKLY, 14 September 1852, BRITISH COLONIST, 14 September 1852, GLOBE, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, NORTH AMERICAN, 16 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and NIAGARA MAIL, 22 September 1852. The debate was also reported by: GLOBE, 14 September 1852 (in a separate account); and LA MINERVE, 7 September 1852. A commentary appeared in L'AVENIR, 15 September 1852.
24. MORNING CHRONICLE, 7 September 1852.
25. GLOBE, 14 September 1852.
26. MORNING CHRONICLE, 7 September 1852.
27. GLOBE, 14 September 1852.
28. MORNING CHRONICLE, 7 September 1852.

29. GLOBE, 14 September 1852.
30. MORNING CHRONICLE, 7 September 1852. GLOBE, 14 September 1852 reported this as 16 "per cent" in error.
31. GLOBE, 14 September 1852.
32. MORNING CHRONICLE, 7 September 1852.
33. GLOBE, 14 September 1852.
34. MORNING CHRONICLE, 7 September 1852.
35. GLOBE, 14 September 1852.
36. MORNING CHRONICLE, 7 September 1852.
37. GLOBE, 14 September 1852.
38. MORNING CHRONICLE, 7 September 1852.
39. GLOBE, 14 September 1852.
40. IBID.
41. MORNING CHRONICLE, 7 September 1852.
42. GLOBE, 14 September 1852.
43. MORNING CHRONICLE, 7 September 1852.
44. GLOBE, 14 September 1852.
45. MORNING CHRONICLE, 7 September 1852.
46. GLOBE, 14 September 1852.
47. MORNING CHRONICLE, 7 September 1852.
48. GLOBE, 14 September 1852.
49. MORNING CHRONICLE, 7 September 1852.
50. GLOBE, 14 September 1852.
51. BRITISH WHIG, 8 September 1852.
52. MORNING CHRONICLE, 7 September 1852.
53. GLOBE, 14 September 1852.
54. MORNING CHRONICLE, 7 September 1852.
55. GLOBE, 14 September 1852, which contained the following commentary on Mr. Robinson's speech: "From the very peculiar position of the Reporter's gallery, which appears to have been constructed with an especial view to render its occupants perfectly useless in their vocation, it is impossible to give anything like a connected report of Mr. Robinson's remarks."
56. MORNING CHRONICLE, 7 September 1852.
57. GLOBE, 14 September 1852.
58. BRITISH WHIG, 8 September 1852.
59. GLOBE, 14 September 1852.
60. MORNING CHRONICLE, 7 September 1852.
61. GLOBE, 14 September 1852.
62. MORNING CHRONICLE, 7 September 1852.
63. GLOBE, 14 September 1852.
64. MORNING CHRONICLE, 7 September 1852.
65. GLOBE, 14 September 1852.
66. MORNING CHRONICLE, 7 September 1852.
67. GLOBE, 14 September 1852.
68. MORNING CHRONICLE, 7 September 1852.
69. GLOBE, 14 September 1852.
70. IBID.
71. MORNING CHRONICLE, 7 September 1852.
72. BRITISH WHIG, 8 September 1852.
73. GLOBE, 14 September 1852.
74. IBID.
75. IBID.
76. MORNING CHRONICLE, 7 September 1852.
77. GLOBE, 14 September 1852.
78. BRITISH WHIG, 8 September 1852.
80. MONTREAL GAZETTE, 9 September 1852.
81. MORNING CHRONICLE, 7 September 1852.

82. IBID.
83. GLOBE, 14 September 1852.
84. MORNING CHRONICLE, 7 September 1852.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. GLOBE, 14 September 1852.
90. MORNING CHRONICLE, 7 September 1852.
91. GLOBE, 14 September 1852.
92. MORNING CHRONICLE, 7 September 1852.
93. GLOBE, 14 September 1852.
94. MORNING CHRONICLE, 7 September 1852.
95. GLOBE, 14 September 1852.
96. MORNING CHRONICLE, 7 September 1852.
97. GLOBE, 14 September 1852.
98. MORNING CHRONICLE, 7 September 1852.
99. GLOBE, 14 September 1852.
100. MORNING CHRONICLE, 7 September 1852.
101. GLOBE, 14 September 1852.
102. MORNING CHRONICLE, 7 September 1852.
103. GLOBE, 14 September 1852.
104. MORNING CHRONICLE, 7 September 1852.
105. GLOBE, 14 September 1852.
106. IBID.
107. IBID.
108. IBID.
109. MORNING CHRONICLE, 7 September 1852.
110. GLOBE, 14 September 1852.
111. MORNING CHRONICLE, 7 September 1852.
112. GLOBE, 14 September 1852.
113. MORNING CHRONICLE, 7 September 1852.
114. GLOBE, 14 September 1852.
115. MORNING CHRONICLE, 7 September 1852.
116. GLOBE, 14 September 1852.
117. MORNING CHRONICLE, 7 September 1852.
118. GLOBE, 14 September 1852.
119. MORNING CHRONICLE, 7 September 1852.
120. GLOBE, 14 September 1852.
121. MORNING CHRONICLE, 7 September 1852.
122. GLOBE, 14 September 1852.
123. MORNING CHRONICLE, 7 September 1852.
124. GLOBE, 14 September 1852.
125. IBID.
126. MORNING CHRONICLE, 7 September 1852.
127. GLOBE, 14 September 1852.
128. MORNING CHRONICLE, 7 September 1852.
129. GLOBE, 14 September 1852.
130. MORNING CHRONICLE, 7 September 1852.
131. GLOBE, 14 September 1852.
132. IBID.
133. MORNING CHRONICLE, 7 September 1852.
134. GLOBE, 14 September 1852.
135. MORNING CHRONICLE, 7 September 1852.
136. IBID.
137. GLOBE, 14 September 1852.

138. IBID.
139. MORNING CHRONICLE, 7 September 1852.
140. IBID.
141. GLOBE, 14 September 1852.
142. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, MONTREAL GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, and NORTH AMERICAN, 16 September 1852. The debate was also reported by GLOBE, 14 September 1852. The following papers noted the debate in identical accounts: PILOT, 8 September 1852, MONTREAL GAZETTE, 8 September 1852, BRITISH WHIG, 8 September 1852, GLOBE, 9 September 1852, BRITISH COLONIST, 10 September 1852, OTTAWA CITIZEN, 11 September 1852, NIAGARA MAIL, 15 September 1852, BATHURST COURIER, 17 September 1852, and HAMILTON GAZETTE, 9 September 1852.
143. MORNING CHRONICLE, 7 September 1852.
144. IBID., which further noted that Mr. Hincks "moved that the bill be read a second time this day three months."
145. IBID.
146. PILOT, 8 September 1852 noted that this bill "was thrown out on the three month's hoist."
147. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, PILOT, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, NORTH AMERICAN, 16 September 1852, and NIAGARA MAIL, 22 September 1852.
148. MORNING CHRONICLE, 7 September 1852.
149. IBID.
150. IBID.
151. IBID.
152. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, MONTREAL GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 14 September 1852, BRITISH COLONIST, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, and NORTH AMERICAN, 16 September 1852. The following papers noted the debate in identical accounts: PILOT, 8 September 1852, MONTREAL GAZETTE, 8 September 1852, BRITISH WHIG, 8 September 1852, GLOBE, 9 September 1852, HAMILTON GAZETTE, 9 September 1852, BRITISH COLONIST, 10 September 1852, OTTAWA CITIZEN, 11 September 1852, NIAGARA MAIL, 15 September 1852, and BATHURST COURIER, 17 September 1852. GLOBE, 14 September 1852, noted the bill, calling it "a most useful measure."
153. MORNING CHRONICLE, 7 September 1852.
154. IBID.
155. IBID.
156. IBID.
157. IBID.
158. IBID.
159. IBID.
160. IBID.
161. IBID.
162. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, PILOT, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 14 September 1852, BRITISH COLONIST, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, NORTH AMERICAN, 16 September 1852, and NIAGARA MAIL, 22 September 1852. The debate was also reported by: GLOBE, 14 September 1852; and JOURNAL DE QUEBEC, 9 September 1852. The following papers noted the debate in identical accounts: PILOT, 8 September 1852, MONTREAL GAZETTE, 8 September 1852, BRITISH WHIG, 8 September 1852, GLOBE, 9 September 1852, HAMILTON GAZETTE,

9 September 1852, BRITISH COLONIST, 10 September 1852, OTTAWA CITIZEN, 11 September 1852, NIAGARA MAIL, 15 September 1852, and BATHURST COURIER, 17 September 1852. A commentary also appeared in JOURNAL DE QUEBEC, 9 September 1852.

163. MORNING CHRONICLE, 7 September 1852.
164. JOURNAL DE QUEBEC, 9 September 1852.
165. MORNING CHRONICLE, 7 September 1852.
166. GLOBE, 14 September 1852.
167. MORNING CHRONICLE, 7 September 1852.
168. GLOBE, 14 September 1852.
169. IBID.
170. IBID.
171. IBID.
172. IBID.
173. IBID.
174. JOURNAL DE QUEBEC, 9 September 1852.
175. IBID.
176. JOURNAL DE QUEBEC, 9 September 1852, contained the following commentary on the debate and subsequent division on the motion for the second reading of Mr. Laterrière's bill: "M. Laterrière demandait à la chambre d'incorporer la 'société des dames charitables de la paroisse de Saint Etienne de la Malbaie,' et M. Brown, pensant que c'était une corporation religieuse, lui faisait une lutte acharnée et tous les députés clear-grits qui le détestent cordialement parce qu'il les pousse aux conséquences extrêmes de leur principe, eux qui s'arrêteraient volontiers pour savourer, un instant, les jouissances du pouvoir, furent forcés de se précipiter à sa suite et de montrer, à leur manière, leur amour pour la liberté.
"La division suivante montre qu'un seul de ceux qui supportent habituellement le ministère a voté avec ce dernier sur cette mesure et que le ministère n'a été appuyé que par le Bas-Canada et les voix conservatrices du Haut-Canada, les voix de l'opposition....
"M. Rolph s'était évadé pour ne pas voter car il était présent au commencement de la discussion. M. Rolph, le chef des clear-grits! Mais il ne saurait toujours échapper ainsi aux conséquences de son principe.
"M. Hincks lui-même ... s'était également absenté. Mais il a protesté depuis que, s'il s'était absenté, ce n'était pas pour éviter un vote compromettant. Mais pourquoi s'est-il absenté après avoir parlé?
"... Ce vote est significatif, il s'attaque, dans son intention, à la religion même des Bas-Canadiens."
GLOBE, 14 September 1852, described the scene in the House immediately preceding the division as follows: "Several members ... intimated that they must vote against the bill. This hint had an extraordinary effect. Up rose the gentlemen on the Treasury benches, and it was a sight worth seeing to observe the Hon. John Rolph escaping with hot haste out of one door, and the Hon. Francis Hincks out of the other! The incident attracted the attention of several members, and created no little merriment."
177. PILOT, 8 September 1852.
178. The following papers reported the exchange on this question in identical accounts: MORNING CHRONICLE, 7 September 1852, QUEBEC GAZETTE, 8 September 1852, MONTREAL GAZETTE, 9 September 1852, NORTH AMERICAN SEMI-WEEKLY, 14 September 1852, GLOBE, 14 September 1852, HAMILTON GAZETTE, 16 September 1852, and NORTH AMERICAN, 16 September 1852; BRITISH WHIG, 7 September 1852, GLOBE, 7 September 1852, MONTREAL GAZETTE, 7 September 1852, PILOT, 7 September 1852, HAMILTON GAZETTE, 9 September 1852, NORTH AMERICAN, 9 September 1852, BATHURST COURIER, 10 September 1852, OTTAWA CITIZEN, 11 September 1852, and LA MINERVE, 7 September 1852.

- 179. BRITISH WHIG, 7 September 1852.
- 180. IBID.
- 181. MORNING CHRONICLE, 7 September 1852.
- 182. BRITISH WHIG, 7 September 1852.
- 183. MORNING CHRONICLE, 7 September 1852.
- 184. BRITISH WHIG, 7 September 1852.
- 185. MORNING CHRONICLE, 7 September 1852.

TUESDAY, 7 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Statements of the Affairs of the Bank of Upper Canada, to 30 August, 1852; and of the City Bank, to 31st August, 1852.¹

MR. J.S. MACDONALD the speaker, laid before the House the following statements:--

Of the affairs of the Quebec Bank, to 31st July, 1852; of the Commercial Bank of the Midland District, to 31st August 1852; La Banque du Peuple, to 1st September, 1852; of the Montreal City and District Savings Bank, to 1st January, 1852; of the Quebec Provident and Savings Bank to 1st March, 1852; of the Northumberland and Durham Savings Bank, to 1st June, 1852; of the Montreal Provident and Savings Bank, 31st August, 1852; of the Champlain and St. Lawrence Railroad, to 31st December, 1852; of the Guelph and Arthur Road Company, to 25th August 1852; of the real and personal Estate held by the Mechanics Institute of Montreal, on 1st September, 1852; also the Reports of various agricultural societies in Lower Canada for 1851-2.²

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For the said Statements, see Appendix (R.)

And also, Statements of the Affairs of the St. Lawrence Inland Marine Assurance Company for the year 1851; and of the British America Fire and Life Assurance Company, to 39th June, 1852.

For the said Statements, see Appendix (R.)

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The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of the Corporation of the Montreal General Hospital.

By Mr. Johnson,--The Petition of George Hamilton and others, of the County of Prescott.

By Mr. Dixon,--The Petition of the Very Reverend T. Kirwan and others, Roman Catholic Inhabitants of the Town and vicinity of London; and the Petition of John McIntosh.

By Mr. McLachlin,--Two Petitions of the Bytown and Prescott Railway Company; two Petitions of the Town Council of the Town of Bytown; and the Petition of Alexander Workman and others, of the Town of Bytown, merchants, and others.

By Mr. Christie of Wentworth,--The Petition of Robert Spence, Esquire, Chairman, on behalf of a public meeting of the inhabitants of the Town of Dundas; and the Petition of William Smith, Moderator, and Thomas L. Davidson, Clerk, on behalf of the Grand River Association of Regular Baptists.

By Mr. Brown,--The Petition of the Municipality of the Township of Oxford; and the Petition of the Reverend John McLachlan and others, of the Village of Acton and its vicinity.

By the Honorable Mr. Macdonald,--The Petition of the University of Queen's College at Kingston.

By the Honorable Mr. Robinson,--The Petition of George Gurnet, Esquire, and others, Clerks of the Peace of the Western Division of Canada; and the Petition of William Laurie and others, of the Township of West Gwillimbury.

By the Honorable Mr. Badgley,--The Petition of Mrs. E. Arnoldi and others, Charitable Ladies, the Directresses and Officers of the Catholic Orphan Asylum at Montreal.

By the Honorable Mr. Chabot,--The Petition of Mrs. Brigitte Gosselin, of the City of Quebec, widow of the late Augustin Laperrière.

By Mr. Fergusson,--The Petition of the Municipality of the Township of Guelph.

By Mr. Willson,--The Petition of B.W. Stevens and others, of the Townships of Caradoc, Lobo, and Delaware.

By Mr. Poulin,--The Petition of Charles Fortin, of the Parish of St. George of Henryville.

By the Honorable Mr. Papineau,--The Petition of the Reverend A. Groulx and others, of the Parish of St. Benoit.

Ordered, That the Petition of George J. Ryerse and others, of the Township of Woodhouse, County of Norfolk; and the Petition of Colonel Gordon Higgins of the Royal Artillery, President of the Canada Military Asylum, and others, Members of the acting Committee thereof, be referred to the Standing Committee on Standing Orders.

Ordered, That the several Reports of the Agricultural Societies of Lower Canada laid before this House, be referred to the Select Committee to enquire into the state of Agriculture in Lower Canada.

Ordered, That the Petition of Joshua Adams, Esquire, and others, of the United Counties of Lanark and Renfrew, be referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

Ordered, That the Select Committee appointed to revise the Rules of this House, and to consider and devise means calculated to expedite the performance of its duties, have leave to report from time to time.

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The Honorable Mr. Chabot, from the said Select Committee, then presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee have commenced a careful examination of the Rules of Your Honorable House, with the view of preparing and submitting such alterations as may tend to expedite the business of the House, as well as to simplify the practice in matters of ordinary routine. They have not yet completed their labors, but having agreed as to the expediency of the following amendments, they have thought it advisable to report the same without delay, in order that, if found desirable, the improvements suggested might at once be carried into effect.

Your Committee would first direct attention to the 6th Rule, which requires that immediately after the Speaker shall have taken the Chair, the Minutes of the preceding day shall be read by the Clerk--a practice which is now rendered unnecessary by the Votes and Proceedings being printed, day by day, and placed in the hands of Members, who are thus enabled, in a much more satisfactory manner, to detect any errors or omissions that may occur, and to have them at once corrected. Your Committee would therefore respectfully recommend that the 6th Rule be rescinded.

The present mode of presenting Petitions, by a Member rising in his place and addressing the Speaker, appears to Your Committee to take up much of the time of the House unnecessarily, and they would suggest that the 83rd Rule be so amended as to provide that for the future all Petitions (excepting Election Petitions) be laid on the table before five o'clock each day, with the name of the Member presenting the same endorsed on the back; and that a list of the Petitions so deposited, be printed with the Votes and Proceedings, but not in the Journals of the House; and that after they shall have lain on the table two days, such Petitions be read by the Clerk, and if received by the House, then entered in the Journals.

Your Committee also consider the practice that at present prevails with respect to Notices, as tending to delay the business of the House; and they would recommend the adoption of a Rule requiring Notices (not less than two days) of all Motions for leave to present a Bill, Resolution, or Address, or for the appointment of a Committee, to be laid on the table of the House each day before five o'clock, and that such Notices be printed with the Votes and Proceedings of the day.

Ordered, That the said Report be committed to a Committee of the whole House, for To-morrow.

Ordered, That the said Report be printed for the use of the Members of this House.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to several Addresses,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 31st ultimo, praying that His Excellency would be pleased to cause to be laid before the House, copies of all Correspondence that has passed between the Government and the authorities of the Provincial Lunatic Asylum, at Toronto, during the last year, relative to the management of that Institution, or the funds available for its support.

For the said Return, see Appendix (J.)

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 31st ultimo, praying that His Excellency would be pleased to cause to be laid before the House, copies of all Correspondence between the Government of this Province and the authorities of Trinity College, Toronto, in regard to a Royal Charter for the said College.

For the said Return, see Appendix (U.)

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The Honorable Mr. Morin also laid before the House, by command of His Excellency the Governor General,--Report of the Post Office Department, for the year ending 5th April, 1852.

For the said Report, see Appendix (V.)

Ordered, That the said Report, exclusive of the Appendix, be printed for the use of the Members of this House.

Ordered, That Mr. Gamble have leave to bring in a Bill to provide for the care of habitual Drunkards, and the custody and disposal of their effects.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Ordered, That Mr. Mackenzie have leave to bring in a Bill for the registration of Births, Marriages, and Deaths.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday the twenty-first instant.

MR. LANGTON³ moved for a Select Committee to enquire into and report upon the best manner of remedying the difficulties which have arisen in several counties of Canada West, from the informality of the By Laws of the Municipal Councils imposing County rates.⁴

MR. H. SMITH (Frontenac) consented to this course, on the understanding that nothing but informalities would be touched on,⁵ [and he] hoped it was not proposed to bring forward an ex post facto law to interfere with the legal rights of individuals.⁶

MR. BROWN complained of the tyranny which the government exercised over the committees of the House⁷ [and] of the manner in which the Committee had been arranged. It was right that the House should know the influence exercised by the Government secretly, in addition to the great powers they were known to possess. This question of the District Council By-laws was deeply interesting to the inhabitants of many Western counties--there were a number of petitions on the subject before the House--and there were several members, Mr. Fergusson especially, who had taken much trouble in the matter. He (Mr. Brown) was the first to bring the subject before the House this Session, by petition from the County of Kent--he had given notice of a Bill to remedy the difficulty existing in that county. But it was suggested that a general Bill to cover the whole evil might be framed and he had spoken with the hon. member for Peterboro on that point. The hon. gentleman proposed to speak to the Attorney-General on the subject, and he did so.

The Attorney-General informed him that he would not object to a Committee, if (the Attorney-General) were allowed to name its members. He placed in the hands of the gentleman from Peterboro a list of names suited to his purpose, and that gentleman was now obeying the Attorney General's injunctions. He called attention to the fact that of the seven members named in the Committee but two represented constituencies interested in the question.⁸ He thought it should be understood whether the influence of the government was extended even to the striking of Committee.⁹ If the object was to kill the movement for redress by the report of a Committee named by the enemies of the movement, it would not succeed without a struggle and he thought that the Government had exercised an influence in the matter and exercised it in a manner, which was most objectionable.¹⁰

MR. LANGTON explained that the Attorney General had merely recommended, and had not dictated the Committee, and he thought the government bound to take up so important a subject and see that such a committee had impartial men upon it. Besides, some members interested were on the committee. In reply to Mr. H. Smith he said that he would take no responsibility as to confining the consideration of the subject to mere informalities. He put the matter into the hands of the committee, and hoped without ex post facto laws, that justice would be done to all parties.¹¹

MR. BROWN thought his statement and that of the hon. member came to the same thing. He did not object to the Committee; but wanted to know what the government did; so that they should not do, through other members, what they would not dare to do themselves.¹²

MR. AT. GEN. RICHARDS justified his conduct in naming the Committee, though in fact he merely had a friendly consultation with the house members for Peterboro'. But he contended that the government was bound to watch the proceedings of the House, and he certainly did intend to do so. No one held the Ministry more strictly to that responsibility than the hon. member for Kent. But a Committee should be impartial and not consist of members all interested in having the report made in a particular way. Besides a report from a one-sided Committee would have no weight.¹³

MR. BROWN said the argument of the Attorney-General was well enough if he had come boldly before the House, assumed the conducting of the question and named his own Committee. But he had assumed no responsibility--he had only foisted a Committee to suit his own purpose, on the shoulders of the hon. member for Peterboro. However, his (Mr. Brown's) object had been attained. Whatever might be the report of the Committee, it would be understood that it was a Government Committee, and not one named in the usual manner.¹⁴

MR. LANGTON's resolution was carried.¹⁵

(113)

Resolved, That a Select Committee, composed of Mr. Langton, the Honorable Mr. Attorney General Richards, the Honorable Mr. Macdonald, Mr. McDonald of Cornwall, Mr. Patrick, Mr. Prince, Mr. Street, Mr. Johnson, and Mr. Christie of Wentworth, be appointed to enquire into and report upon the best means of remedying the difficulties which have arisen in several Counties of Canada West, from the informality of the By-Laws of the Municipal Councils imposing County rates.

Ordered, That the Honorable Mr. Attorney General Richards have leave to bring in a Bill to remove doubts as to the powers of the Junior Judges of County Courts in Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That the Honorable Mr. Attorney General Drummond have leave to bring in a Bill to authorize the appointment of Assistant Judges of the Superior Court for Lower Canada in certain cases.

He accordingly presented the said Bill to the House, and the same was received

*and read for the first time; and ordered to be read a second time To-morrow.*¹⁶

MR. AT. GEN. DRUMMOND explained that the present bill was intended to obviate the difficulty which now occurred from the occasional illness of one judge, as was now the case at Sherbrooke, and by the appointment of an assistant judge to enable the Courts to be held.¹⁷

MR. PRES. EX. COUN. CAMERON¹⁸ asked for leave to bring in a Bill, to prohibit the manufacture, importation, or sale of intoxicating liquors in this Province. It was, in fact, the bill known as the Maine Liquor Law, which he wished to see introduced into this Province, as the only effectual means of preventing the numerous evils which now result from the excessive use of intoxicating liquors.¹⁹ He trusted that the Maine Law would be studied before this bill was read a second time. It was a mistake to suppose that this law was ... opposed to civil liberty or to the constitution of the country.²⁰ A good deal of misconception existed respecting this bill, some persons believing, that it had been declared unconstitutional in other countries, and others believing that the principle as applied to one of the colonies had been²¹ vetoed by the supreme²² royal authority in England. This was all a mistake, as was also the opinion, that it was a bill dangerous to individual liberty of action, and inoperative where it became law. It is perfectly simple in its enactments, perfectly safe and sure in the results it produces, and it cannot be unconstitutional.²³ He contended that the law, instead of being in any respect improper, had proven to be highly useful in Maine, where it had caused a falling off in committals to prisons, in expenses of asylums, &c., so much that it had been imitated in Massachusetts and elsewhere.²⁴ It is completely within the power of the people of this country, if they desire to do so, to abate the nuisance which the bill aims at, and which had done more to increase vice and misery, to fill the Penitentiaries, and increase our taxes, than any one thing else; nor is there any danger that the supreme power vested in the crown of England, will prevent us from enacting and enforcing any law of this nature, which effects moral standing as a people. He would not go at length into the subject matter of the bill on its first reading, as that would be an unusual course, but he would state that the operation of the Maine Law, where it exists, has produced the most beneficial results, that there is no disposition to recede from it in the States, and that the very persons who opposed it most strongly when first proposed by Neal Dow, whose name will be rendered immortal by this great work, for the regeneration of his fellow men, have now come forward, and declared unanimously, that it was beyond all human conception, that a mere human enactment could produce such wonderful effects. In one place, it has caused the number of committments to decrease from two hundred and eighty to eight, and the number of assaults from one hundred and sixty almost to a blank.²⁵ In fact the whole history of our legislation maintained the principle of this law.²⁶ It is consistent with all laws that we have ever had on the subject of nuisances, for the purpose of protecting ourselves against evils which result from the abuse of those things which are in themselves necessary--precisely as the law which regulates the sale of opium and arsenic, precisely as the law which will always be enacted by a wise people, to save themselves from the maddening destructive, and murderous effects of a dangerous agent in the hands of a careless or the vicious, and precisely on the same principle which has hitherto been adhered to, in enacting laws, regulations, and sale of liquors--licensing certain persons to sell them, and prohibiting their sale to Indians, because it was found that the use of liquors by that class of people, was injurious to them. He would ask if it was necessary to go out of the halls of the Legislature, to prove that its use was hurtful also to white men. (Hear, hear, and laughter.) The principle of the licensing system is the principle of the Maine Law, the former prohibits the sale by the entire community, restricting it to a certain class, the latter imposes a still further restriction, so as to put it out of power of men of vitiated opposite, to indulge it to their own

destruction.²⁷ Why should any man have a license for a monopoly of wrong? The House could legislate in this direction as it did in the prevention of another nuisance, or for the protection of people against the use of noxious articles, proper to be sometimes used, but not to be used indiscriminately.²⁸ The hon. gentleman then moved for leave to introduce the bill.²⁹

MR. J.S. MACDONALD the SPEAKER:--The Hon. Mr. Cameron moves for leave to introduce a bill to prohibit the manufacture, importation, or sale of intoxicating liquors in this Province,--seconded by Col. Prince. (Loud laughter.)³⁰

COL. PRINCE could not understand the degree of surprise manifested by hon. gentlemen at the announcement that he seconded the motion of his hon. friend. The applause seemed to come strangely enough on such an occasion; and he could imagine in what light it was intended that he should regard it. If it were meant as a cheer of welcome and pleasure at seeing an old friend once more on the floor of the House, he could understand and appreciate it; but if it were meant as a sarcasm, he could secure his friends on the opposite side of the House that he was as serious in seconding that motion as he had ever been in any act of his life. It is well known that he is a man formed by nature with social habits, and that he had been accustomed to enjoy, as he will still enjoy, the social cup taken in reason and at a proper hour of the day (hear and laughter); but he would tell them that he has observed, and closely observed, for many a long year in that sincere country where he resides--and he doubted whether the virtue of forbearance was much better understood or practiced in the eastern country than there,--he had observed, he could repeat, the evils flowing from this vice of drunkenness and the wretchedness it caused, not only among the young and unwary; but even among the old and the experienced; and he had determined to forego his own enjoyment to make a sacrifice, which to him would be great, and heartily co-operate with the hon. President of the Council, for the sake of example, and for the purpose of conferring a real benefit on others. (Hear, hear.)³¹

MR. ROBINSON was quite ready to assist in putting an end to the evils which arose from intemperance, but before assenting to the introduction of the bill, he wished to understand the manner in which it was introduced. Nothing was more common, when an individual member, on his side of the House, asked for leave to bring in a bill, affecting, no matter how remotely, the revenue than the opposition it would at once receive from the administration. They claimed the sole right of bringing forward such bills. Now, here was a bill directly and largely affecting the revenue, and he should like to know whether it had the sanction of the Government. True, it was submitted to the House by a member of the Administration, and the presumption is that it met with the concurrence of his colleagues, but he desired to obtain certain information on that point. If the bill became law, a large reduction in the amount of revenue would certainly be the result; and he would ask the Inspector General, whether an individual member would be permitted to bring in a bill making that reduction of duty on the teas and sugars, which the people are so desirous of obtaining; and he asked in the present bill, which not merely affected the revenue, but interfered so materially with the comforts of a large portion of the community? If the question were answered, he would promise that when the bill came up for the action of the House, it should receive his most serious consideration.³²

MR. INSP. GEN. HINCKS said that the member for Simcoe was quite right in asking the question; but all that he could say, in reply, was that the Government have not introduced the measure, they knew nothing more of it than every other gentleman could know by seeing it mentioned on the notice paper.³³ For his own part, he would express his opinion at the proper time; but at any rate, he did not think it proper, in other respects, that it should be rejected from any considerations arising out of revenue.³⁴ He had no more to do with the bill than

the member for Simcoe himself; and, so he was entirely unacquainted with its provisions, was unable to answer the question whether it would interfere with the revenue or not.³⁵

MR. J.A. MACDONALD (Kingston) charged the Inspector General, as the member for Kent had done repeatedly, with throwing off the responsibilities which attach to his office. He should like to know whether the bill would not be an interference with the revenue of the Province, if it proposed to increase the duties on Imperial spirits, instead of preventing their importation altogether? and whether it ought not, in such case, to emanate from the Ministry? If such a bill were introduced should not the Inspector General know what was its scope before it was mooted in the House by one of his colleagues? This bill proposes to prohibit the importation of an article which adds very materially to the revenue of the country; it will thus cut off completely that source of revenue, and yet the Inspector General not only sits quiet when it is introduced by a member in his individual capacity, but avows that he knows nothing of its contents!³⁶

MR. INSP. GEN. HINCKS said that it was not the policy of government to resist the introduction of any bill except on very extraordinary occasions; but this he could say to the gentleman who had just taken his seat; he did not think that this bill should be dealt with solely as a question of revenue. (Hear, hear.) It must be regarded in its social and moral aspects, as well as in its effects on the pecuniary means of the Province; and if the state of the country, and the interests of the country, require the abolition of the traffic in liquor, he was quite prepared to say that the mere question of revenue should not prevent the House from dealing with it. (Hear, hear.) However, the question at the moment was on the introduction of the bill, and he should confine himself to that; when it came up for the second reading, he would be ready, as on all other occasions to express his views respecting it.³⁷

MR. MERRITT said that if the bill before the House were identical with the Maine Law, it would not prevent the importation of spiritous liquors, as such a prohibition was contrary to the constitution of the United States³⁸ [and] single states could not constitutionally prevent importation.³⁹ The Parliament of the Province had the power to adopt such a measure if it chose to do so. He took it that the bill was intended to prevent the manufacture of liquors, and if he was right in that supposition, he should be glad to lend his assistance for the purpose of carrying it into effect⁴⁰ and if it prevented the collection of excise, he thought that would be no bad thing, as⁴¹ this is the only part of the continent in which an excise law exists, and he should look upon the repeal of that law, legalizing the manufacture, as a great boon.⁴²

MR. H. SMITH, of Frontenac, was astonished at the strange spectacle exhibited on the floor of that House, almost nightly.⁴³ [He] ridiculed the statement of Mr. Merritt; seeing that the law was directly enacted against the importation and manufacture of liquor, and yet that gentleman said it was only to take off the excise duty.⁴⁴ One gentleman introduced a bill to prevent the manufacture of spirits, and one of his friends immediately jumped up and declared his desire to encourage the manufacture to the utmost by taking off the excise.⁴⁵ (Laughter.)⁴⁶ Veritably the language used by the Inspector-General in his speech on the address to the Throne, "this Government has no fixed principles," ought to be engraven in letters of gold, and placed in the most conspicuous part of the hall. He looked upon the bill as the most important, perhaps, which would be brought in during the present session, and conceived that⁴⁷ on so important a measure, involving the interests of so many people, the government ought to have an opinion as a government.⁴⁸ If introduced at all, it should be introduced by the Government alone. It affects the revenue, the industry, the comforts, the habits of life, of the whole community, and will ruin that class of persons who have embarked a large capital in this peculiar branch of

business; that being the case, he should not give his comment to the introduction by a private member, nor should he ever consent to allow gentlemen sitting on the treasury benches to throw off all responsibility, when such great questions are involved.⁴⁹

MR. MACKENZIE thought it was very extraordinary that some gentlemen should suppose no individual member of a Cabinet could introduce a bill without having first obtained the consent of his colleagues. Nothing could be advanced more inconsistent with the regular practice of the English Parliament. A very striking instance was afforded by the Catholic Emancipation question at the beginning of the century. The Cabinet was divided on the subject; some of the members were in favour of the bill, whilst others were opposed to it; and that was during the very heat of the war in 1810-11. Sir R. Peel was at one time opposed to it, as was also the Duke of Wellington. When it was mooted seriously in 1820, Sir R. Peel was favourable to it, and the Duke opposed it. It is not only contrary to English Parliamentary practices, to suppose that a minister cannot bring in a bill without the consent of his colleagues first obtained; but it is absurd.⁵⁰

Leave was granted, and the bill was read a first time.⁵¹

(113)

Ordered, That the Honorable Mr. Cameron have leave to bring in a Bill to restrain the manufacture, sale, and importation of intoxicating Liquors in certain cases.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That Mr. Taché have leave to bring in a Bill to prevent the effect of fraudulent Elections of Municipal Councillors in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

The Honorable Mr. Hincks, Member for the County of Oxford, and also for the Town of Niagara, made his election to serve for the County of Oxford.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery to make out a new Writ for the election of a Member to serve in this present Parliament for the Town of Niagara, in the room of the Honorable Francis Hincks, who has made his election to serve for the County of Oxford.

(114)

On motion of the Honorable Mr. Robinson, seconded by Mr. Boulton, Resolved, That an humble Address be presented to His Excellency the Governor General, praying for copies of all Correspondence between the Executive Government, or any Member thereof, and the Contractor or Contractors for furnishing Steam Tug Boats on the River St. Lawrence, or with the Montreal Board of Trade, or any other person or persons, on the subject of withdrawing the said Tug Boats, and discontinuing the accommodation afforded by them to the Trade of the Province.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to establish a Consolidated Loan Fund for Upper Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

A Bill to declare the intention of the Law organizing the Notarial Profession, with respect to the study of that Profession, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Taché do carry the Bill to the Legislative Council, and desire their concurrence.

A Bill to confer certain powers on Municipal Corporations and Companies to take materials to repair Roads, was, according to Order, read the third time.

Resolved, That the Bill do pass.

Ordered, That Mr. Burnham do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the second reading of the Bill to amend the Act for better securing the Independence of the Legislative Assembly of this Province, being read;

Ordered, That the Bill be read a second time on Tuesday the twenty-eighth instant.

The Order of the day for the second reading of the Bill to restrict the Acceptance of Office in certain cases, being read;

*Mr. Mackenzie moved, seconded by Mr. Hartman, and the Question being proposed, That the Bill be now read a second time;*⁵²

MR. MACKENZIE moved the second reading of a bill to restrict the acceptance of office in certain cases. The principal object of the bill was to prohibit members of Parliament from accepting office.⁵³

A long debate ensued, which occupied the whole evening.⁵⁴

MR. MACKENZIE ... spoke at length in support of his bill, arguing the necessity of its being passed in consequence of the system which had been for a long time pursued.⁵⁵ Mr. Mackenzie contended that members of Parliament had only sought for seats⁵⁶ [in order to use] their office of representative, as a mere stepping stone to office for themselves⁵⁷ or their friends⁵⁸ or relations.--The system, was, that the head of the government said, vote in such and such a way, and I will give you a judgeship or something else. He asked the Inspector General if that were not the system?⁵⁹

MR. INSP. GEN. HINCKS indignantly denied that it was.⁶⁰

MR. MACKENZIE went on to illustrate his argument by citing the appointments of Messrs. Jameson, Aylwin, Draper, Sullivan, and Blake. He made a number of sarcastic personal remarks in relation to these gentlemen, and⁶¹ attacked bitterly⁶² the way in which they had "chiselled" themselves into⁶³ their promotion to the Bench.⁶⁴ His remarks sometimes drew forth roars of laughter, but from their length we could not report them, nor from their nature condense them. The principle of his arguments is contained in the preamble of his bill, which follows:--

"Whereas it is of the first importance to the country, that those persons who are selected by the Crown to advise upon public affairs should be above suspicion; and whereas, contrary to all British precedent, a practice has been introduced by which the Executive Council divide among themselves and their colleagues lucrative judicial and other offices, with ultimate pensions; and whereas it is derogatory to the character of the Judiciary, and dangerous to the purity of Judges and of public officers, that those who are concerned in urging through Parliament Acts for creating new Courts or other offices with high salaries, to the increase of the public burthens, should be themselves appointed to fill them; and whereas such unconstitutional proceeding is not only subversive of the purity of a responsible government, but is also calculated to prevent [sic] the highest patronage of the Crown by its selfish appropriation amongst those who are presumed to be the public trustees for its disinterested distribution, by reason whereof the members of the Executive Council may become place-hunters instead of place-givers, and the Representative of the Crown, from a supposed constitutional necessity that he should acquiesce in such proceedings, may be brought into disrepute."⁶⁵

COL. PRINCE generally replied, and contended that the principle of the bill of the hon. member for Haldimand was pernicious, and should be rejected.⁶⁶

MR. INSP. GEN. HINCKS condemned the attacks of Mr. Mackenzie, on gentlemen who were absent, as being most discreditable⁶⁷ [and] reprehensible⁶⁸. The character of those gentlemen stood too high to be affected by the attacks of the hon. member. He did not believe that the country would support the principle, that a man who had the high honour of a representative of the people conferred upon him, should be disqualified from accepting the office of a judge, if he were able to fulfil the duties of the office. Such a disqualification would be unparalleled in British legislation. The hon. member proceeded to defend in detail the appointments of Messrs. Aylwin, Sullivan, and Blake; also of Mr. Draper. He condemned the imputation of the meanest motives by the hon. member for Haldimand, to the gentlemen alluded to. The hon. member had not⁶⁹ dared to say a word about⁷⁰ their competency, nor did he allege that they did not discharge with honour the duties of their high offices.⁷¹ He attacked the principle of the bill, and said it would be a disgrace⁷² [and] degradation to the country if such a bill as that before the House were allowed to pass.⁷³ He concluded by moving an amendment that the bill be read a second time this day six months.⁷⁴

(114)

The Honorable Mr. Hincks moved in amendment to the Question, seconded by Mr. Solicitor General Chauveau, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. PAPINEAU ... développa ... ses opinions sur la question; il le fit dans la langue anglaise, il était en faveur du principe du bill.⁷⁵ [He] said the bill might be unnecessary, but for the example of judicial appointments which we had witnessed in the province. It was unseemly that a man should be seen as a hot political partisan one day and a judge the next--that one person should perform the triple functions of the executive, legislative, and judiciary. He did not challenge the capacity of the gentlemen who had been appointed to the bench, but he condemned the system by which they were appointed. It was one which might cause alarm for the purity of the bench. There was no analogy between the system of appointing judges in England, and an Attorney General appointing himself in this country. Referring to the case of Mr. Blake, he said that he had been appointed over the heads of senior members of the bar in Upper Canada, to reward him for his blustering services to the late government in this House. That was a wise provision in the constitution of the United States which prevented a man from accepting an office which he had been instrumental in creating. The country would have more confidence in its representatives, if they adopted the self-denying ordinance, and performed their duties independently, without the power of becoming candidates for other offices. In place of appointing the dependent tools of the government to the office of judge, they should look outside of political partizanship and take the fitting man from the bar. The system had been that men had sought seats in that house as a stepping stone to office.⁷⁶

MR. TURCOTTE spoke generally in reply to Mr. Papineau, and condemned the low estimate he had formed of the morals of public men.⁷⁷ [Il] dit que le préambule était une insulte et que la chambre ne pouvait l'adopter sans s'avilir aux yeux du pays.⁷⁸ His remarks were very indistinctly heard ... in the Reporters' Gallery.⁷⁹

MR. LANGTON, after some preliminary remarks in which he condemned the reference to old party strifes, stated in relation to the principle of the bill that he could not approve it. He did not see why a lawyer of capacity, who at one time desired to go ... [into] parliament, and lead parties, should be debarred from being appointed to the bench.⁸⁰

MR. BOULTON did not approve of the preamble of the bill, nor of all its detail, but he liked some of it, and would vote for its second reading, in order to have it referred to a committee. Referring to the system of appointments to office of the members of the House, he would read from a pamphlet of the Hon. Mr. Blake, and without imputing incorrect motives to him, he would ask, what would the public think of his deliberately written declarations before he became a member of parliament and his conduct afterwards. The hon. member read from the pamphlet he had alluded to, to the effect that Mr. Blake expressed his opinion in favor of no Judge's salary exceeding £1000. Yet, the hon. member went on to say, this gentleman affixed to the office into which he was about to put himself, a salary of £1250 per annum, with a retiring salary of two-thirds the amount.--When that took place with men of high character, what was not to be expected from others and what safeguards ought not to be provided against them? In the belief that such safeguards were necessary, he should vote for the bill.⁸¹

COL. PRINCE remarked that when Mr. Blake wrote that book just read, the giving [of] £1250 to the Chancellor, was not exactly giving that sum to himself, for though he read the bill, it was the Legislature that passed it, and he would be an ass to refuse it. He denied that the late ministry appointed only partizans, and instanced the case of Mr. Esten, a good tory, Mr. Spragge, a high conservative, and Mr. Burns, also a conservative. He concluded by defending the course of putting the law officers on the bench.⁸²

MR. CHABOT dit que le bill aurait plutôt dû être intitulé: "bill qui disqualifie de tous emplois les personnes jouissant de la confiance du peuple."⁸³ [He] would not disqualify from situations those who had the confidence of the people. The great complaint of the old Government of Canada was, that Judges and other chief functionaries were chosen without the Parliament. Such a bill as this seemed too absurd to enter into the mind of men of sense. It was said, indeed, that the House consisted of corruptors and corrupted; and yet it was a strange thing that the persons appointed to the bench in Upper Canada and Lower Canada by the late ministry, were few of them partizans of that ministry.⁸⁴

MR. SOL. GEN. CHAUVEAU contended that the bill was altogether absurd, and ought, to improve it, to be blotted out from the preamble to the last clause⁸⁵, et c'est le parti qu'adopta la chambre, comme vous pouvez voir par les minutes de la séance.⁸⁶ [He] then examined each of those parts of the bill. As to the last clause, even the hon. member for Two Mountains could not agree with it, for according to him the bar ought to be consulted relative to the appointment of judges; but if they were so appointed, who was to be made judge? for those thus consulted must be held to have legislated on the measure.⁸⁷

MR. MACKENZIE replied, citing several statements by members of the party now in power, to show how much they condemned the conservative ministry for their appointments, and ridiculed their present declarations that the whole house was now so pure and honest. Mr. Mackenzie continued at considerable length to argue in favour of his bill but in a voice which only reached us at intervals. In the course of these observations he said that the present was a government day; but he wanted to know where were the government measures, especially the representation bill.⁸⁸

MR. AT. GEN. RICHARDS did not think the hon. member's votes in the last Parliament showed so much anxiety for the representation bill as his speech. As to the bill itself, inasmuch as no one could hold office without the confidence of the people, it followed that no man who enjoyed the confidence of the people should be held entitled to the confidence of the crown. He was about to criticize the details, when⁸⁹--

MR. MACKENZIE said that he did not adhere to them; but only for the principle.⁹⁰

MR. AT. GEN. RICHARDS replied that as that was the case, it would be better to dispose of it at once.⁹¹

MR. HARTMAN only seconded the motion to get a vote on the principle of the bill, which he approved and thought far too important to be kicked out in a summary manner. In his district of the country, and he thought throughout Upper Canada, there were strong objections to the appointment of judges by themselves, and the hon. members now in the Government, were the loudest in their condemnation of such a course. He did not approve the bill in all its details, and wished it had been drawn more carefully.⁹²

MR. INSP. GEN. HINCKS explained that his objections to the appointment of Mr. Justice Draper, were not that he appointed himself, but that having the offer of a judgeship in his pocket, he continued to take part in the proceedings of the House, though he had renounced all political responsibility.⁹³

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Burnham, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Crawford, Dumoulin, Fortier, Fournier, Gouin, Hincks, Johnson, Lacoste, Langton, Laurin, Lemieux, Macdonald of KINGSTON, Marchildon, Mattice, McDougall, Mongenais, Morin, Patrick, Polette, Poulin, Prince, Attorney General Richards, Ridout, Robinson, Rolph, Rose, Seymour, Shaw, Sicotte, Smith of FRONTENAC, Stevenson, Street, Taché, Turcotte, Varin, Viger, and Wright of West Riding of YORK.--(45.)

(115)

Messieurs Boulton, Brown, Christie of WENTWORTH, Clapham, Dubord, Gamble, Hartman, Jobin, Mackenzie, Malloch, Papineau, Valois, White, and Wright of East Riding of YORK.--(14.)

So it was resolved in the Affirmative.

Then, the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

The Order of the day for the second reading of the Bill to repeal the Acts therein mentioned, and to improve the Law of Evidence in Upper Canada, being read;

The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Friday next.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,--Tables of the Trade and Navigation of the Province of Canada, for the year 1851.

For the said Tables, see Appendix (A.)

The Honorable Mr. Hincks also laid before the House, by command of His Excellency the Governor General, the Public Accounts for the year 1851.

For the said Accounts, see Appendix (B.)

Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Malloch, The House adjourned.

[NOTICE OF MOTION RE: IMPROVEMENT OF NAVIGATION ON THE ST. LAWRENCE RIVER.]

MR. ROBINSON has given notice of the following resolutions in the House of Assembly:

1. Resolved,--That the improvement of the River St. Lawrence, by constructing ship canals at a great expense around the Rapids at various places, was intended to facilitate and cheapen the transportation of the products and merchandize of this Province, to and from the Ocean, and also to attract to the Ports of Quebec and Montreal the trade of the Western States.

2. Resolved,--That in order to derive the full benefit of such improvements, it is essential to afford prompt means, at reasonable fixed prices, for the passage of vessels navigating the St. Lawrence, either by the aid of steam tug boats, or towing paths connecting the different canals.

3. Resolved,--That until towing paths are made it is expedient and necessary immediately to place upon such parts of the River St. Lawrence, between Lachine and Kingston, as require it, (under the control of Government) a sufficient number of steam tugs to ensure the trade of the country prompt and reasonable means of passage to vessels navigating the said river.⁹⁴

[QUESTION AND ANSWER RE: ERECTION OF A COURT HOUSE AND PRISON IN CHICOUTIMI.]

DR. LATERRIERE [a demandé] si le ministère avait intention de prendre les mesures nécessaires pour faire ériger un palais de justice et une prison à Chicoutimi, dans le comté de Saguenay [sic].⁹⁵

MR. AT. GEN. DRUMMOND répondit qu'une mesure pour la construction de semblables édifices [sic] dans les endroits éloignés est maintenant sous la considération du gouvernement.⁹⁶

[QUESTION AND ANSWER RE: ESTABLISHMENT OF A SCHOOL OF NAVIGATION AT QUEBEC.]⁹⁷

DR. LATERRIERE a demandé hier à l'administration si on avait pris des mesures pour donner effet au vote de £1,000 passé à la dernière session du parlement pour l'établissement d'une école de navigation à Québec?⁹⁸

MR. PROV. SEC. MORIN a répondu qu'il y avait eu une volumineuse correspondance à ce sujet (il montra en effet une liasse de papiers contenant cette correspondance). Le gouvernement avait fait l'acquisition de l'ancienne maison de douanes à Québec pour servir de local. L'école serait déjà sur pied si on avait pu réussir à se procurer les services d'une personne compétente pour diriger l'établissement. On s'était adressé à une personne très-capable maintenant en Angleterre, ce monsieur dont le nom est Kingston, fit, avant d'accepter la proposition, un grand nombre de questions auxquelles il a fallu répondre. Le gouvernement s'attend que ce monsieur ne refusera pas l'offre qu'on lui fait, mais on n'a pas encore reçu de réponse définitive. Il est probable pourtant qu'il acceptera, et dans ce cas il sera ici bientôt et pourra organiser l'école, avant la clôture de la navigation.⁹⁹

[QUESTIONS AND ANSWER RE: FREEDOM OF ELECTIONS AND REGISTRATION OF VOTERS.]

MR. STUART [a demandé au ministère] s'il a l'intention d'introduire pendant la présente session de la législature aucune mesure pour assurer la liberté de l'élection des membres du parlement, pour représenter les cités de Québec et

Montréal; et s'il en est ainsi, s'il a l'intention d'adopter le système de l'enregistrement des voteurs si avantageusement suivi dans d'autres lieux.¹⁰⁰

Réponse: Une mesure à cet effet est maintenant sous considération.¹⁰¹

[WITHDRAWN MOTION RE: RETRENCHMENT.]¹⁰²

MR. BOULTON moved--"That it is expedient that a detailed statement should be submitted by the Government at an early day to this House showing what retrenchment they consider can be effected in the Provincial expenditure, without impairing the efficiency of the public service."

He referred to the speech from the Throne in 1850, recommending this subject to the consideration of Parliament, and to the subsequent appointment of a committee for the purpose of making investigations into the public expenditure, and as certain what could be cut off without impairing the efficiency of the public service. On that committee both sides of the House were represented, and fortunately the votes of its members were recorded. Among these votes the name of the Hon. Mr. Cameron appeared conspicuously in favour of all the motions for cutting down salaries, and he had no hesitation in saying that in consequence of the position then assumed by the President of the Council he had succeeded in gaining a great deal of popularity throughout the country. He was not at that time in the Government, and was as great an advocate of retrenchment as any one, now he is in the government, and sits and acts with gentlemen who came down to that committee in force, and at one sweep, rendered all their proceedings nugatory. The object he (Mr. B.) had in view, was to obtain a record of the votes of hon. gentlemen now, and ascertain what was the position which the Hon. President of the Council, occupied now on this great question, to ascertain whether he had come over to the views of his colleagues, or whether they had come over to his. That was his sole object, and he disclaimed all intention, or desire, of embarrassing the government in any manner. The hon. gentleman (Mr. B.) quoted at considerable length the votes of the Committee showing that Mr. Cameron had voted throughout with the extreme advocates of retrenchment¹⁰³, [such] as that one for the salary of Speaker--only £250 a-year, while he now belonged to an administration in favour of £500;--that of £3500 for Governor General, while now as the Governor General had given him £800, he (Mr. B.) supposed the hon. member would be in favour of giving £7777. On the same day the hon. member voted for giving the existing Puisné Judges only £750. Yet he now was with an administration who were in favour of continuing much larger salaries to those judges. The same day he voted to cut down the Attorney General to £750; yet he now was the colleague of an Attorney General with nearly £1000. The same day again Mr. Cameron voted to abolish the offices of Solicitor General; yet he was now the colleague of two Solicitors General. The same day, once more, he voted to discontinue the office of President of the Council; yet the hon. gentleman¹⁰⁴ has since discovered that the office was not only a useful one, but that he was the only person who could fill it properly, and he appears to be perfectly content to receive the salary. After the Inspector General had overturned all the proceedings of the¹⁰⁵ retrenchment committee¹⁰⁶ a minority report was brought in, signed by men of all political creeds. Messrs. Badgley, Cayley, Papineau and Cameron, urging those reductions which they thought were demanded by the state of the country; but, up to the present hour, none of these reductions have been effected, and the member for Huron sits in an ultra-liberal cabinet alongside gentlemen who opposed that minority report, without manifesting the slightest inclination to urge them any further. As it was his (Mr. B.'s)¹⁰⁷ sole¹⁰⁸ desire to obtain the vote of Ministers on this question, he hoped they would make an effort to remain in their seats, and¹⁰⁹ would not, as on a late occasion of giving an unpopular vote (that on the incorporation of the Sisters of Charity) one run out of one door and the other ... [out] another¹¹⁰ [thus escaping] from

the House ... when he [again] introduced a measure which did not happen to be very popular (hear, hear). He remembered well the very mysterious manner in which the Treasury Benches were emptied ... [in this way], and he was left almost in sole possession of the House. He did trust that there would be no shirking of the vote on this motion; the Inspector General he knew, had courage to stand up in defence of his opinions, and he hoped that every other member of the Cabinet would be equally ready to abide the test, and that if the President of the Council had really undergone a change in his opinions that he would get up and avow the fact.¹¹¹ It would be an interesting thing to know how many offices the Province had; and he acknowledged the Crown Lands Commissioner was a most able man; but he had heard a strange story about his second. He had not the pleasure of knowing Dr. Ford; but Dr. Ford was the chief book-keeper in the department, and yet he understood that Dr. Ford was now taking lessons in book-keeping. (Laughter.) How could the business be done by such persons?¹¹²

The hon. and learned member proceeded, at great length, to recapitulate his former speeches.¹¹³ [He] alluded to the statistics which he had cited on a former occasion, and said that he did not mean to excuse what he had said; but to justify himself, for the whole house itself had gone farther than he in 1846. At that time in an address to the Queen, moved by Mr. Robinson and seconded by Mr. Baldwin, it was stated that if the connection with Great Britain involved constant loss to the Provinces, the people would begin to consider whether it was for their interest that that connection should continue. If that did not go as far as anything he said, he did not know what it meant. He proceeded to quote a mass of figures to refute Mr. Cartier's statement, on a preceding night, that the civil government of the United States was more expensive than that of England; and then proceeded by an elaborate comparison of the cost of different departments, to point out what he considered the vast excess of public expenses in Canada over those which prevailed in the United States. In this connection he stated that in six States of the Union, with five millions of people, the expense of the administration of justice was but \$345,000 while in Canada, with less than two millions of people, they were \$357,000. Now he was satisfied that Canada could make a reduction to her expenses, and the Inspector General was satisfied of the same thing, or else he had no right to recommend retrenchment in the speech from the throne two years ago. Mr. Boulton proved the laws of the State of Massachusetts in a small pamphlet, which he said was given to every rate-payer in the state. Our own laws would not go into several such volumes. This was why he voted the other night against a bill of incorporation--because he wanted to have one general law for all. He compared many of the cities of the United States with those of Canada to show the¹¹⁴ enormous accumulation of wealth and¹¹⁵ [the] immense increase of population in the former, compared to what he thought the very slow progress of the latter¹¹⁶. [He noted] the small expense of the public printing in the several States, the relative cost to the community for public postage, and the low rate of salaries to American officials, contrasting them with the poverty of the Canadian towns, and the extravagance of the public departments and the large salaries paid to the officials of the crown.¹¹⁷ [He] concluded by again pressing the House to call on the ministry to show what they proposed to do.¹¹⁸

MR. INSP. GEN. HINCKS said that when the member for Toronto spoke of the Retrenchment Committee of 1850, he must have forgotten the terms in which the subject was recommended to the consideration of Parliament.¹¹⁹ The appointment of the committee of retrenchment in 1850, did not pledge the Government to anything like what was contained in Mr. Boulton's resolution; and here he read from the address of the House in answer to the speech from the throne that year showing that the House spoke of "dispelling allusions" on the part of the people, who thought retrenchment might be carried a great way.¹²⁰ It was intimated that

agitation and excitement existed with reference to the subject, and that it was desirable that this feeling should be calmed. Now, there is no necessity for any such recommendation by the Crown; if the Government was prepared with any measure of retrenchment, it would have been mentioned in the speech from the Throne, and would have been submitted to the House. In the absence of any such proceeding by the Government, it became the duty of the member for Toronto to bring forward on his own responsibility such a scheme as he deemed suitable to the exigencies of the country. If the Government failed in their duty, it became the bounden duty of that hon. gentleman to take such steps as would be necessary to save the country. It was entirely contrary to precedent and to Parliamentary practice to call on the Government to bring in such a measure, when they had made it appear that they were unprepared to do so.¹²¹ Such a motion as that now made, he was convinced, had never been made in any legislative body.¹²²

MR. BOULTON here said, such a motion has been made and your colleagues voted for it; and he read from an amendment moved by himself to a speech from the throne, expressing a hope that the appointment of the Committee in 1850 would cause the "overgrown expenses" of the government to be diminished, and Mr. Cameron's name was among those who voted for it.¹²³

MR. INSP. GEN. HINCKS said that amendment was a mere expression of hope; but the resolution before the House called on the government to lay down a scheme of retrenchment which they had not made any allusion to in their speech. He thought the hon. member had treated his hon. colleague (Mr. Cameron) very unfairly in the remarks made upon him.¹²⁴ Certainly, nothing could be more absurd than to expect that any gentleman giving evidence¹²⁵ [and] his opinion fairly before the retrenchment committee¹²⁶ of 1850, should be forever excluded from the Cabinet, because he could not compel his colleagues to fall in with all his peculiar views¹²⁷ [and] that he was never again to join the government till his views were exactly complied with.¹²⁸ Nothing of the kind was expected in Britain, so the hon. gentleman might see if he would refer to the Journals of the House of Commons. But what were the facts of the case to which he had referred? After much time had been spent by the Committee in their investigations, the Government brought in a bill which was very generally approved, making considerable reductions in the salaries paid to government officials; and he would tell the House one result of that measure; the late member for Montreal (Mr. Holmes) was a strong advocate of retrenchment; he was in favour of cutting down the salaries quite as much as one could desire; yet that gentleman, in his position as President of the St. Lawrence and Atlantic Railroad Company¹²⁹ [OR] vice-President of the Portland road¹³⁰ actually gives a higher salary to the engineer of that company than any officer in the employment of the Government now receives. The necessary result is that the Government is compelled to put up with the loss of the services of gentlemen of the most eminent abilities; because they can obtain a higher rate of remuneration elsewhere. If, in view of such a fact, which is only an instance of what will occur in other departments of the public service, the hon. gentleman still thinks that a reduction of the salaries is necessary, the plain, straightforward course is for him to forward his scheme, and get a majority of the House to support it. He, Mr. H., would be quite ready, in that event, to walk over to the other side of the House, and allow the hon. gentleman to carry on the Government according to his cheap plan. As the honorable gentleman had given him credit for sufficient courage to maintain the opinion, he would say that he did not believe that the salaries paid to the officers of the Government are too high for the services they have to perform. If honorable gentlemen are of a different opinion, he would say in God's name¹³¹ let them put the hon. member into his (Mr. Hincks') place and he would walk across the House with pleasure.¹³² Come and take our places, and perform the duties for such salaries as will remunerate you.¹³³ The United States officers were either not paid at all, or paid in an indirect manner. The manly course was

for the hon. member, if he had a scheme of retrenchment, to bring that measure down. The hon. member for Lincoln he knew was always ready to take that manly course, and he was willing to do that hon. member the justice to say that¹³⁴ it would be well for the country if many of the suggestions could be carried out.... It is well known that the member for Lincoln had devised a system which would make an entire change in the financial position of the Province, and¹³⁵ he never approved of the clippings of official salaries¹³⁶. That gentleman never intended such paltry measures as cutting a hundred pounds here and a hundred pounds there from the salaries of Government officers.¹³⁷

MR. MERRITT.--Hear, hear.¹³⁸

MR. INSP. GEN. HINCKS.--The reason why the views of the member for Lincoln were not adopted was that they appeared to be impracticable in the existing state of public opinion. What he meant was that it would be very desirable to throw the expense of the administration of justice on local direct taxation (hear), instead of defraying those expenses out of the consolidated fund; but gentlemen are not fit to occupy seats in the House if they cannot perceive that it is hopeless to attempt such a measure as long as the Municipal institutions of Lower Canada are in a state of infancy, and as long as the people of Lower Canada entertain such an invincible repugnance to direct taxation as they do at the present moment. And if the attempt cannot be made in Lower Canada, it cannot be made at all as both sections of the Province should stand on an equal footing. In conclusion he adverted to the argument made use of by the member for Toronto, that the salaries of Government officers in this Province were too high, inasmuch as they exceeded the salaries of similar officials in the United States. He said it was perfectly idle to tell him that the salary of the Governor of a State was only a thousand dollars a year, when it was well known that the salaries of an inferior clerk generally exceeded that sum. The supposition is that the Governor of a State is bound to devote all his time and energies to the performance of his duties: if he does, he is either paid insufficiently, or he is paid indirectly, and that, he believed was really the case where the public functionaries were paid as indifferently.¹³⁹

MR. R. CHRISTIE (Gaspé) contended that it was most unfair, while the ministry had so many important measures before the House to embarrass them by motions which had no object, and which ought to be put off till real business was disposed of.¹⁴⁰

Plusieurs membres parlèrent ensuite, faisant allusion à l'importance de l'adoption du système de taxes directes, pour les frais du service public, et prétendant que le Haut-Canada se taxait pour une foule d'objets administratifs, tandis que pour les mêmes objets, la province inférieure était à charge à la province-unie.¹⁴¹

MR. GAMBLE was most astonished at the conduct of the hon. member for Gaspé. Had not that hon. member voted throughout with the majority of the retrenchment committee, and had any good occurred from that committee, except some small reductions in the salaries of executive officers. Why one would suppose the hon. member for Gaspé was a supporter instead of an opponent of the Government. And now he asked how it was that so many hon. members followed the bad example set them by the Government and had left the House. Where were all the members who promised so much to their constituents, in the way of retrenchment? He hoped they would either vote for retrenchment or would come out boldly like the Inspector General and say that retrenchment was a bagatelle--that there was something in this country which made law naturally cost twice as much as in Massachusetts; or three times as much as in New York; or five times as much as in Ohio. Then recurring to the vast expense of printing, he pointed out how easy it would be to omit all about the authority by which the laws were enacted, and several other

matters of form, by a change in which great saving would be effected. In reply to the question whether Mr. Cameron were to be excluded from the Government merely because he could not get all that he had expressed an opinion in favour of as witness on the committee, he pointed out that Mr. Cameron was not a witness; but a member of the committee, and that when he joined a Government notoriously opposed to him, it was better if he had changed his mind, to say so; and then turning to the hon. member for Lincoln, he asked whether his views were confined, as stated by the hon. Inspector General, to throwing the expenses of the administration of justice on the localities.¹⁴²

MR. INSP. GEN. HINCKS said not only the administration of justice but many other expenses here charged upon the consolidated fund.¹⁴³

MR. GAMBLE continued to express his desire then that the same principle should prevail here. The Inspector General affected too, to conceive that the Governors of the various states, and other officers, were paid indirectly. He did not believe that to be true nor probable. He thought he was in favour of the resolutions; but the resolutions did not go far enough. A statement of all the salaries paid by the people of this province would make them aghast, and he believed that one half of the officers now employed would do the business equally well as at present. The people of Lower Canada were perhaps opposed to taxation, but they were also poor.¹⁴⁴

MR. CHABOT qui prit la parole ensuite s'exprima très-sensément sur le sujet. Il commença par dire qu'il s'était beaucoup amusé en entendant ce que les préopinants avaient dit du Bas-Canada. A les entendre, dit-il, on dirait qu'il n'y a jamais eu de taxes municipales dans le Bas-Canada; comment donc ont été faits tous les chemins et ponts dans nos campagnes? n'est-ce pas au moyen de taxes? Il est vrai qu'on appelle cela répartition, mais n'est-ce pas, de fait, la même chose que ce qu'on appelle taxe dans le Haut-Canada? Tous les jours on se taxe pour ces objets. Qu'ont fait de plus les habitants du Haut-Canada? Se sont-ils jamais taxés pour autre chose que pour leurs chemins, ponts et fossés? Il est vrai qu'ils ont fait de grandes voies de communications, mais ils l'ont fait avec le million et demi que nous leur aidons à payer aujourd'hui.¹⁴⁵ As to the statement that the people of Lower Canada were poor, the best answer was silence.¹⁴⁶

On a beaucoup parlé de retranchement, c'est un mot qui retentit agréablement aux oreilles de ce pauvre peuple; mais a-t-on droit de reprocher au gouvernement son inaction sur le sujet?¹⁴⁷ Retrenchment was a sounding word; but the fact was, those who talked most about it at the hustings, were those who thought least of it afterwards.¹⁴⁸ S'il y a des réductions à faire dans les dépenses de la chambre n'est-ce pas aux membres à les proposer?... Mais peut-on bien, dans le fait, opérer ces changements dont on parle tant? Il est vrai qu'il y a beaucoup d'impressions inutiles, mais la plus grande partie de ces impressions sont faites à la demande de ces membres qui crient le plus pour les retranchements.¹⁴⁹ He thought there was something wrong, however, in the printing for the French journals were not yet printed.¹⁵⁰ On a à se plaindre aujourd'hui que les appendices de la dernière session ne sont pas encore distribués à qui la faute? les imprimeurs rejettent la faute sur les traducteurs; mais le fait est que les traducteurs ne peuvent suffire à l'ouvrage.¹⁵¹ He believed ... there were not enough translators.¹⁵² Comment veut-on que quatre traducteurs puissent seuls traduire quatre gros volumes d'appendices, en sus des autres traductions qu'ils ont à faire?

On a encore cité les législatures d'au-delà de la ligne 45 comme modèles d'économie.¹⁵³ It was pretended that there were no officers and no expenses for government in the United States;¹⁵⁴ mais je tiens en ma main un état des sommes votées durant la dernière session du congrès aux divers employés des chambres. Par cet état, je vois qu'¹⁵⁵ the lower clerks and daily workmen¹⁵⁶, les messagers,

portiers, journaliers, employées par le congrès sont mieux payés que ne le sont ici nos officiers publics¹⁵⁷ in Quebec, and he declared that clerks could not live upon less than the £150 which formed the salary of many of them¹⁵⁸. Comment peut-on croire qu'un homme puisse vivre avec sa famille lorsqu'il ne reçoit qu'un misérable salaire de £125 à £150? Croit-on avec un tel salaire, conserver les services d'hommes capables? Il ne faut pas donner des salaires exorbitants, mais accordez au moins de quoi soutenir une famille; et il est ridicule de croire qu'on puisse faire vivre une famille à Québec avec £125 par an; le seul article du bois coûtera une forte partie de cette somme.¹⁵⁹ He then read a list of salaries at Washington to establish the truth of what he alleged.¹⁶⁰

"On se plaint que de simples messagers de cette chambre reçoivent 7s 6d par jour; mais est-ce bien là une somme exorbitante? Avec ce salaire un employé peut dans le cour d'une session gagner la somme d'à-peu-près £125: est-ce trop pour le soutien d'une famille?

"Durant la dernière session du congrès, la chambre des représentants [sic] a accordé à deux messagers surnuméraires la somme de \$1,000 chacun; à deux clercs, nommés dans le bureau des patentes, chacun \$1,400. Les journaliers employés à nettoyer les allées de la promenade auprès du capitole reçoivent \$500 par année; les hommes du guet, la même somme; les gardiens des portes reçoivent \$730 chacun; les bibliothécaires \$1,200. Le premier clerc de la trésorerie à New-York a un salaire de \$1,600 et les autres clers [sic] \$1,200. J'aurais dû ajouter que le surveillant des water-closets à Washington reçoit \$350 par année. En outre tous les employés dont les salaires sont au-dessous de \$1,200, ont reçu dans la dernière session une augmentation de vingt par cent.

"Si on veut être servi, il faut payer; et si on veut avoir des hommes de confiance, de mérite, et si on veut qu'il n'y ait point de défalcations, il faut accorder un salaire suffisant. Quant à prétendre qu'on peut vivre à Québec avec £125 par an, je le répète encore, c'est absurde, c'est ridicule."

M. Chabot répondit ensuite à quelques mots qu'avait dit M. Hincks au sujet de l'érection des cours de justice et de prison dans les endroits éloignés, comme à Chicoutimi. M. Chabot était d'opinion qu'il était de l'intérêt de gouvernement de bâtir lui-même les édifices nécessaires à l'administration de la justice. Il fit voir que le gouvernement dépensait chaque année des sommes énormes pour payer les témoins, pour les faire sommer par les huissiers, pour sommer les jurés, etc. On a quelquefois à payer des quinze à vingt louis à des témoins pour la taxe et dépenses de voyage.

Ce qu'il nous faut suivant l'opinion de ce monsieur, c'est un changement dans notre système judiciaire, ce sont des juges résidens; sans cela les actes d'éducation, et de municipalités ne fonctionneront jamais bien; il faut que toutes les difficultés qui surgissent dans l'exécution de ces actes soient décidées immédiatement, et sur les lieux, par une autorité compétente.¹⁶¹

MR. BOULTON voulût alors retirer sa motion. Outre qu'il s'apercevait [sic] que sa proposition n'était pas en faveur¹⁶².

MR. CARTIER, qui avait demandé plusieurs fois la parole, se ... [leva] pour répondre à quelques-uns de ces nouveaux allégués sur les dépenses respectives du gouvernement d'Angleterre et du gouvernement des Etats-Unis¹⁶³.

MR. BOULTON, craignant d'être flagelle de nouveau ... consentait bien volontiers à retirer sa motion et a en finir avec la question.¹⁶⁴

Cette permission lui fut refusée.¹⁶⁵

MR. CARTIER replied to the observations of Mr. Boulton; again contending that the expenditure of the Government of monarchical England was less than that of Republican America, the first costing, after deductions, for debt, troops &c., £5,000,000 and the second £31,000,000. This statement he considered had been proved by the hon. member for Toronto. It was well known, too, that while the population of Great

Britain was increasing, the taxation was decreasing, and this while taxes were being constantly reduced. He went over all the details of Mr. Boulton's calculation, contending that he had drawn enormous conclusions from them. The actual expenses of the civil government he showed from some figures which he read, were less in England than in the United States. He also shewed, that the Hon. member's statements were enormous as far as regarded the expenses of the Government of Massachusetts, as compared with those of the Government of Canada. With respect to expenses of the administration of Justice in Massachusetts, the hon. member was also wrong. He knew that the figures he read, did not include the expenses of criminal justice: that they did not include the expenses of the trial of Dr. Parkman, which were paid by the country. He asked why the hon. member always made his comparisons with Massachusetts--why not take Pennsylvania, which had to pay the interest of a heavy debt of \$10,000,000 and an expensive state government. The population of that State was much nearer to that of Canada, and comparisons with it would be more just, but the hon. gentleman did not make them, for he knew they would not be in his favour. Why not take Virginia, which was the oldest state of the Union, which had only a million and a half of inhabitants, and half of those slaves--yet, it is not the least prosperous State of the Union. In making comparisons of the relative populations and wealth of American States, Cities, and Towns with Canada, it was not just to go only to Massachusetts or New York.¹⁶⁶ M. Cartier fit quelques autres remarques sur les dépenses publiques aux Etats-Unis, et en particulier sur celles de l'administration de la justice¹⁶⁷.

MR. BOULTON avait voulu prouver que le chiffre des dépenses en Angleterre s'élevait à plus de cinquante millions de louis, somme fixée par M. Cartier, lors des débats sur l'adresse, et il cita des chiffres qu'il avait pris la peine de cotter [*sic*] soin; mais il se trouva, après la réponse de M. Cartier, que M. Boulton avait fait une petite erreur, ayant pris le montant du revenu pour celui de la dépense; encore tirait-il preuve devant les assemblées délibérantes.¹⁶⁸

MR. CRAWFORD condemned the system of discursive debating and making long speeches on irrelevant subjects. He was in favour of the principle of retrenchment, but he could not support so general a motion as that before the House. If some specific measure of judicious retrenchment were adopted he would vote for it. He did not desire to see the salaries of government officers reduced, lower than those of mercantile clerks. He would rather pay them more than at present, and reduce the numbers, and give them more work to perform. He continued that Canada, and especially Upper Canada was in a very prosperous condition and did not believe that even bad government could prevent Canada from being prosperous.¹⁶⁹

MR. BOULTON replied¹⁷⁰.

Plusieurs autres membres parlèrent ensuite, mais aucun ne voulut soutenir la proposition de M. Boulton, et on lui permit alors de la retirer.¹⁷¹

MR. BOULTON withdrew his motion. He believed it was important to elicit opinions on the subject that might lead to the result he desired.¹⁷²

FOOTNOTES: 7 SEPTEMBER 1852.

1. This matter was reported by: BRITISH COLONIST, 10 September 1852, and GLOBE, 14 September 1852, which was virtually illegible.
2. BRITISH COLONIST, 10 September 1852.
3. The following papers reported the debate on this matter in identical accounts: PILOT, 8 September 1852, MONTREAL GAZETTE, 8 September 1852, GLOBE, 9 September 1852, NIAGARA MAIL, 15 September 1852, and BATHURST COURIER, 17 September 1852; QUEBEC GAZETTE, 8 September 1852, MORNING CHRONICLE, 8 September 1852, MONTREAL GAZETTE, 10 September 1852, BRITISH COLONIST, 14 September 1852, HAMILTON SPECTATOR DAILY, 14 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and NIAGARA MAIL, 22 September 1852. The debate was also reported by GLOBE, 16 September 1852. The debate was noted by: PILOT, 10 September 1852; and HAMILTON GAZETTE, 16 September 1852. A commentary appeared in GLOBE, 14 September 1852.
4. GLOBE, 16 September 1852. GLOBE, 14 September 1852, made the following commentary on this subject: "[This] incident ... shows in a strong light the manner in which things are worked in the House of Assembly. It is well known that in several of the Districts of Upper Canada, much trouble has arisen from the alleged technical informality of the By-laws of the late District Councils in regard to the wild land tax. The statute required that in every such by-law, the gross sum required to be raised should be stated. The Councils stated the sum required, in the report of the Finance Committee, and showed the rate required to make up that sum; but they did not state it in the by-law. No one alleges that the Councils exceeded their powers--no one alleges that the amount levied was unjust or unreasonably high--no one alleges that the money was illegally or improperly expended; but the Canada Company and other large land-holders take advantage of the quibble afforded by the omission of the sum to be raised, from the by-laws, and refuse to pay. The inhabitants of the several counties paid their money without scruple, it has been spent in the improvement of the land of the Canada Company, and other mammoth land speculators--and these last now refuse to pay their shot."
5. QUEBEC GAZETTE, 8 September 1852.
6. GLOBE, 16 September 1852.
7. QUEBEC GAZETTE, 8 September 1852.
8. GLOBE, 16 September 1852.
9. QUEBEC GAZETTE, 8 September 1852.
10. GLOBE, 16 September 1852.
11. IBID.
12. QUEBEC GAZETTE, 8 September 1852.
13. GLOBE, 16 September 1852.
14. IBID.
15. QUEBEC GAZETTE, 8 September 1852.
16. The following papers reported the debate on this matter in identical accounts: QUEBEC GAZETTE, 8 September 1852, MORNING CHRONICLE, 8 September 1852, MONTREAL GAZETTE, 10 September 1852, PILOT, 10 September 1852, HAMILTON GAZETTE, 16 September 1852, and NIAGARA MAIL, 22 September 1852.
17. QUEBEC GAZETTE, 8 September 1852.
18. The following papers reported the debate on this matter in identical accounts: PILOT, 8 September 1852, MONTREAL GAZETTE, 8 September 1852, HAMILTON GAZETTE, 9 September 1852, GLOBE, 9 September 1852, NIAGARA MAIL, 15 September 1852, and BATHURST COURIER, 17 September 1852. The following papers reported the debate on this matter in partially identical accounts: QUEBEC GAZETTE, 8 September 1852, MORNING CHRONICLE, 8 September 1852, MONTREAL GAZETTE, 10 September 1852, BRITISH COLONIST, 14 September 1852, HAMILTON SPECTATOR DAILY, 14 September 1852,

HAMILTON GAZETTE, 16 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, NORTH AMERICAN SEMI-WEEKLY, 17 September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN, 23 September 1852. The following papers noted the debate: PILOT, 10 September 1852; and GLOBE, 14 September 1852, in two separate accounts.

19. GLOBE, 14 September 1852.
20. QUEBEC GAZETTE, 8 September 1852.
21. GLOBE, 14 September 1852.
22. QUEBEC GAZETTE, 8 September 1852.
23. GLOBE, 14 September 1852.
24. QUEBEC GAZETTE, 8 September 1852.
25. GLOBE, 14 September 1852.
26. QUEBEC GAZETTE, 8 September 1852.
27. GLOBE, 14 September 1852.
28. QUEBEC GAZETTE, 8 September 1852.
29. GLOBE, 14 September 1852.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. QUEBEC GAZETTE, 8 September 1852.
35. GLOBE, 14 September 1852.
36. IBID.
37. IBID.
38. IBID.
39. QUEBEC GAZETTE, 8 September 1852.
40. GLOBE, 14 September 1852.
41. QUEBEC GAZETTE, 8 September 1852.
42. GLOBE, 14 September 1852.
43. IBID.
44. QUEBEC GAZETTE, 8 September 1852.
45. GLOBE, 14 September 1852.
46. QUEBEC GAZETTE, 8 September 1852.
47. GLOBE, 14 September 1852.
48. QUEBEC GAZETTE, 8 September 1852.
49. GLOBE, 14 September 1852.
50. IBID.
51. IBID.
52. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 9 September 1852, QUEBEC GAZETTE, 10 September 1852, MONTREAL GAZETTE, 10 September 1852, PILOT, 11 September 1852, BRITISH COLONIST, 14 September 1852, HAMILTON SPECTATOR DAILY, 14 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, GLOBE, 16 September 1852, HAMILTON GAZETTE, 16 September 1852, NORTH AMERICAN SEMI-WEEKLY, 21 September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN, 23 September 1852. The following papers also reported the debate on this matter: GLOBE, 14 September 1852, which was virtually illegible; and LA MINERVE, 11 September 1852. The following papers noted the debate on this matter in identical accounts: PILOT, 9 September 1852, GLOBE, 9 September 1852, HAMILTON SPECTATOR DAILY, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, BRITISH WHIG, 10 September 1852, BRITISH COLONIST, 10 September 1852, HAMILTON GAZETTE, 13 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and BATHURST COURIER, 17 September 1852. A commentary appeared in LA MINERVE, 11 September 1852.
53. PILOT, 9 September 1852.
54. IBID.
55. QUEBEC GAZETTE, 10 September 1852.

56. PILOT, 9 September 1852.
57. QUEBEC GAZETTE, 10 September 1852.
58. PILOT, 9 September 1852.
59. QUEBEC GAZETTE, 10 September 1852.
60. IBID.
61. IBID.
62. PILOT, 9 September 1852.
63. QUEBEC GAZETTE, 10 September 1852.
64. PILOT, 9 September 1852.
65. QUEBEC GAZETTE, 10 September 1852.
66. IBID.
67. IBID.
68. PILOT, 9 September 1852.
69. QUEBEC GAZETTE, 10 September 1852.
70. PILOT, 9 September 1852.
71. QUEBEC GAZETTE, 10 September 1852.
72. PILOT, 9 September 1852.
73. QUEBEC GAZETTE, 10 September 1852.
74. PILOT, 9 September 1852.
75. LA MINERVE, 11 September 1852.
76. QUEBEC GAZETTE, 10 September 1852.
77. IBID.
78. LA MINERVE, 11 September 1852.
79. QUEBEC GAZETTE, 10 September 1852.
80. IBID.
81. IBID.
82. IBID.
83. LA MINERVE, 11 September 1852.
84. QUEBEC GAZETTE, 10 September 1852.
85. IBID.
86. LA MINERVE, 11 September 1852.
87. QUEBEC GAZETTE, 10 September 1852.
88. IBID.
89. IBID.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. BRITISH COLONIST, 10 September 1852.
95. LA MINERVE, 11 September 1852.
96. IBID.
97. The question on this matter was reported by LA MINERVE, 11 September 1852. The following papers noted the exchange in identical accounts: QUEBEC GAZETTE, 8 September 1852, MORNING CHRONICLE, 8 September 1852, PILOT, 10 September 1852, MONTREAL GAZETTE, 10 September 1852, and NIAGARA MAIL, 22 September 1852.
98. LA MINERVE, 11 September 1852.
99. IBID. QUEBEC GAZETTE, 8 September 1852, noted that "Mr. Morin entered into some explanation relative to the School of Navigation, Quebec, but in a voice which did not reach the gallery."
100. JOURNAL DE QUEBEC, 9 September 1852.
101. IBID.
102. The following papers reported the debate on this withdrawn motion in identical accounts: MORNING CHRONICLE, 8 September 1852, QUEBEC GAZETTE, 10 September 1852, MONTREAL GAZETTE, 10 September 1852, PILOT, 11 September 1852, BRITISH COLONIST, 14 September 1852, HAMILTON SPECTATOR DAILY, 14 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, NORTH AMERICAN SEMI-WEEKLY, 17

September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN, 23 September 1852. The debate was also reported by: GLOBE, 16 September 1852; and LA MINERVE, 11 September 1852, which also contained a commentary. The following papers noted the debate in identical accounts: PILOT, 8 September 1852, MONTREAL GAZETTE, 8 September 1852, GLOBE, 9 September 1852, NIAGARA MAIL, 15 September 1852, and BATHURST COURIER, 17 September 1852; PILOT, 9 September 1852, GLOBE, 9 September 1852, HAMILTON SPECTATOR DAILY, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, BRITISH WHIG, 10 September 1852, BRITISH COLONIST, 10 September 1852, HAMILTON GAZETTE, 13 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and BATHURST COURIER, 17 September 1852. GLOBE, 14 September 1852, made the following commentary on this subject: "Mr. Boulton's motion for a detailed statement of the retrenchment which the Ministry considered desirable and practicable in the public expenditure, and the long debate that followed, was a sad waste of time. The Ministry, by not bringing forward a measure of retrenchment, thereby declare that in their opinion none can be made. If Mr. Boulton thinks otherwise, it is his duty to bring forward a scheme of his own, and test the feelings of the House upon it." PILOT, 9 September 1852, noted that the House discussed Mr. Boulton's resolution "for three or four hours."

103. GLOBE, 16 September 1852.
104. QUEBEC GAZETTE, 10 September 1852.
105. GLOBE, 16 September 1852.
106. QUEBEC GAZETTE, 10 September 1852.
107. GLOBE, 16 September 1852.
108. QUEBEC GAZETTE, 10 September 1852.
109. GLOBE, 16 September 1852.
110. QUEBEC GAZETTE, 10 September 1852.
111. GLOBE, 16 September 1852.
112. QUEBEC GAZETTE, 10 September 1852.
113. GLOBE, 16 September 1852.
114. QUEBEC GAZETTE, 10 September 1852.
115. GLOBE, 16 September 1852.
116. QUEBEC GAZETTE, 10 September 1852.
117. GLOBE, 16 September 1852.
118. QUEBEC GAZETTE, 10 September 1852.
119. GLOBE, 16 September 1852.
120. QUEBEC GAZETTE, 10 September 1852.
121. GLOBE, 16 September 1852.
122. QUEBEC GAZETTE, 10 September 1852.
123. IBID.
124. IBID.
125. GLOBE, 16 September 1852.
126. QUEBEC GAZETTE, 10 September 1852.
127. GLOBE, 16 September 1852.
128. QUEBEC GAZETTE, 10 September 1852.
129. GLOBE, 16 September 1852.
130. QUEBEC GAZETTE, 10 September 1852.
131. GLOBE, 16 September 1852.
132. QUEBEC GAZETTE, 10 September 1852.
133. GLOBE, 16 September 1852.
134. QUEBEC GAZETTE, 10 September 1852.
135. GLOBE, 16 September 1852.
136. QUEBEC GAZETTE, 10 September 1852.
137. GLOBE, 16 September 1852.
138. IBID.
139. IBID.
140. QUEBEC GAZETTE, 10 September 1852.
141. LA MINERVE, 11 September 1852.

142. QUEBEC GAZETTE, 10 September 1852.
143. IBID.
144. IBID.
145. LA MINERVE, 11 September 1852.
146. QUEBEC GAZETTE, 10 September 1852.
147. LA MINERVE, 11 September 1852.
148. QUEBEC GAZETTE, 10 September 1852.
149. LA MINERVE, 11 September 1852.
150. QUEBEC GAZETTE, 10 September 1852.
151. LA MINERVE, 11 September 1852.
152. QUEBEC GAZETTE, 10 September 1852.
153. LA MINERVE, 11 September 1852.
154. QUEBEC GAZETTE, 10 September 1852.
155. LA MINERVE, 11 September 1852.
156. QUEBEC GAZETTE, 10 September 1852.
157. LA MINERVE, 11 September 1852.
158. QUEBEC GAZETTE, 10 September 1852.
159. LA MINERVE, 11 September 1852.
160. QUEBEC GAZETTE, 10 September 1852.
161. LA MINERVE, 11 September 1852.
162. IBID.
163. IBID.
164. IBID.
165. IBID.
166. QUEBEC GAZETTE, 10 September 1852.
167. LA MINERVE, 11 September 1852.
168. IBID.
169. QUEBEC GAZETTE, 10 September 1852.
170. IBID.
171. LA MINERVE, 11 September 1852.
172. QUEBEC GAZETTE, 10 September 1852.

WEDNESDAY, 8 SEPTEMBER 1852.¹

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MR. SPEAKER laid before the House, a Statement of the Affairs of the Bank of Montreal, to 31st August, 1852.

For the said Statement, see Appendix (R.)

The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Cameron,--The Petition of Elizabeth Segmullar and others, female inhabitants of the Town of Stratford, County of Perth; the Petition of John Kastner and others, male and female German inhabitants of the Township of Ellice, County of Perth; and the Petition of William Chalk and others, of the United Counties of Huron, Perth, and Bruce.

By Mr. Patrick,--The Petition of Gordon Serviss and others, of the Township of Oxford; the Petition of Horace Hutchins and others, of the County of Grenville; the Petition of the Municipal Council of the United Counties of Leeds and Grenville; the Petition of the Municipality of the Township of Oxford; and the Petition of the Municipal Council of the United Counties of Lanark and Renfrew.

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By Mr. Mongenais,--The Petition of Robert McIntire and others, Censitaires, of the Parish of St. Zotique, County of Vaudreuil; and the Petition of J.W. Parent and others, of the Parish of St. Zotique, County of Vaudreuil.²

MR. MONGENAIS, en présentant ... la pétition des habitants de Sainte-Zotique demandant une indemnité pour les dommages qu'ils avaient soufferts par l'inondation causée par la dame construite à la tête du canal de Beauharnais [sic], dit qu'il désirait attirer l'attention du gouvernement sur ce sujet, afin de l'engager à prendre sans délai les démarches nécessaires pour que justice fût rendue aux pétitionnaires. Il ajoute que depuis trois ou quatre ans, les habitants des paroisses de Sainte-Zotique, Saint-Thimothée et Saint-Anicet, avaient souffert de dommages considérables, et qu'il n'avait rien été fait jusqu'à présent pour leur venir en aide, quoiqu'en 1850, il (M. Mongenais) eût présenté une pétition dans le même but. Le commissaire en chef des travaux publics d'alors, continue l'honorable membre, avait promis de faire faire une visite sur les lieux par des experts, afin d'aviser aux moyens d'indemniser les victimes de ces inondations; mais jusqu'à cette heure le gouvernement n'avait encore rien fait pour le soulagement de ces pauvres habitants. Il (M. Mongenais) espérait donc que cette fois le gouvernement prendrait la présente pétition en sa sérieuse considération, et que justice serait rendue aux pétitionnaires sans aucuns délais³.

MR. AT. GEN. DRUMMOND répondit que le gouvernement avait fait faire des enquêtes afin de constater si la hausse des eaux [du lac St. François] était due aux chaussées construites par le bureau des travaux, et afin de constater quel était le niveau ordinaire du lac avant la construction de ces chaussées, mais que les rapports avaient été si contradictoires qu'il avait été impossible d'en venir à une conclusion et par conséquent de prendre action sur le sujet. Mais⁴ il informait l'honorable député du comté de Vaudreuil que le gouvernement s'en était occupé et s'en occupait encore actuellement, et qu'il verrait à ce que justice fût rendue le plus promptement possible.⁵ La question sera prochainement soumise aux commissaires chargés de décider en pareils cas.⁶

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By Mr. Cauchon,--The Petition of the Reverend J. Tardif and others, of the Island of Orleans.

By Mr. Valois,--The Petition of the Reverend J.B. St. Germain, of the Parish of St. Laurent, County of Montreal.

By Mr. Christie of Wentworth,--The Petition of the Municipal Councils of the Township of Brantford, of the County of Brant, and of other places.

By Mr. White,--The Petition of John Bayne and others, of Galt and vicinity.

By Mr. Dumoulin,--The Petition of A.S. Gouin, Esquire, and others, of the County of Yamaska.

By Mr. Cartier,--The Petition of the School of Medicine and Surgery of Montreal; and the Petition of Sister M.R. Coutlée, Superior, and others, Sisters of Charity in charge of the General Hospital in the City of Montreal.

By Mr. Brown,--The Petition of John Ward and others, of the Township of Etobicoke; the Petition of Francis Creighton and others, of the Township of Moore, County of Lambton; and the Petition of John Watt and others, of the Townships of Nichol and Garafraxa.

By the Honorable Mr. Attorney General Drummond,--The Petition of Samuel Andres and others, of the County of Chambly.

By Mr. Stuart,--The Petition of Messieurs Allan Gilmour and Company, and others, Merchants, Ship-owners, and others, of Quebec; and the Petition of the President and Directors of the British and Canadian School Society.

By Mr. Crawford,--The Petition of William H. Ellerbeck and others, of the Town of Brockville.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Municipality of the Township of Gloucester; praying for the passing of an Act to extend the time limited by the eighth Section of the Assessment Amendment Act 14 & 15 Vic. cap. 110.

Of Leonard Wood and others, of the Township of Osgoode, County of Carleton; and of Andrew Russell and others, of the Village and Township of Packingham; praying for the construction of a Canal of the same dimensions as the St. Lawrence Canals, to connect the waters of the River St. Lawrence with those of Lake Champlain.

Of A. Jeffry, Esquire, and others, of the Counties of Northumberland and Peterborough; praying for the passing of a special Act to incorporate the Company formed for the construction of a Railway from the Town of Cobourg to the Town of Peterborough.

Of Thomas Richard and others, of the Township of Hamilton, County of Northumberland; praying that a new Survey of the sixth and seventh Concessions of the said Township may be made, for the purpose of setting the true boundaries thereof.

Of John K. Roche, of the Town of Port Hope; praying for the passing of an Act to enable him to recover a certain amount due him for his services in making a Survey of the Township of Hamilton, and marking permanently certain boundaries therein.

Of Julien Chabot and others, of the Parish of St. Joseph de la Pointe Levy and others; praying that the Act amending the Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the Navigation of the waters of this Province, may be so amended as to dispense with the inspection of their Steamboats used as Ferries and Tow-boats.

Of the Reverend F. Durocher and others, of the Townships of Bagot and Chicoutimi; praying aid to improve the Sydenham Road, and to construct a Bridge over the Rivière à Mars.

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Of M. Townsend and others, Directors of the Clarenceville Academy; praying aid in behalf thereof.

Of John B. Askin, President, on behalf of the Agricultural Society of the United Counties of Middlesex and Elgin; praying for the passing of an Act to confirm the Titles of the said Society to a certain piece of land in the Town of London.

Of F. Cumberland and others, of the City of Toronto and other places; praying for an Act of Incorporation to enable them to construct a Railroad from the said City to the Town of Peterborough.

Of Henry Rowed, Esquire, and others, of the Township of Seymour and its vicinity; and of George B. Hall and others; praying for the passing of an Act to incorporate the St. Lawrence and Lake Huron Railway Company.

Of the Reverend John Gemley, Minister, and others, the members of the Congregation of the Wesleyan Methodist Church of the Town of Peterborough, and others; of the Reverend William King, Minister, and others, of the Congregation of the Free Presbyterian Church of Buxton; of the Reverend John Corbett and others, of the Township of Wakefield and vicinity, in the County of Ottawa; of Robert Allan and others, of the Township of Plympton; of the Reverend George Cheyne and others, in behalf of the Congregations of Saltfleet and Binbrook in connexion with the Presbyterian Church of Canada; and of Archibald Petrie and others, of the Township of Cumberland, County of Russell; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of Nathaniel Jenks, M.D., and others, of Barnston; praying aid to enable them to maintain an Academy in the Township of Barnston.

Of Marcus Child, Esquire, and others; praying for an Act of Incorporation for the construction of a Railroad from opposite the City of Montreal, viâ Chambly and the outlet of Lake Memphramagog, to the Province Line in Stanstead.

Of the Reverend James Skinner and others, of the Township of London, County of Middlesex; of Philip Hodgkinson and others, of the Township of Malahide, County of Elgin; of Daniel Snyder and others, of the Township of Colchester; of Andrew Mullins and others, of the Township of Sombra; of Thomas Rowland and others, of the Town of Stratford; of Thomas Smith and others, of the Village of Mitchell; of Simon Newcomb and others, of the Township of Bayham; of Neil Clark and others, of the Township of Chinguacousy; of John Harris and others, of the Village of Mount Pleasant; of John Kennedy, Esquire, and others, of the Township of Esquesing; of John White and others, of the Township of Trafalgar, and others; of William Firstbrook and others, of the Township of Erin; of James Maclaren, Esquire, and others, of the Township of Wakefield and vicinity, County of Ottawa; and of Peter Shaver, Esquire, and others, of the Township of Matilda, praying for the passing of an Act to prohibit the manufacture and sale of intoxicating Liquors, except for medicinal and mechanical purposes.

Of A. Derousselle, Esquire, and others, of the Parish of Beauport and other places; praying that the Laval Road may be placed under the control of the Commissioners of the Quebec Turnpike Trust, for the improvement of the said Road.

Of the Reverend J. Hurlburt, in behalf of the Adelaide Academy; praying for aid in behalf thereof.

Of Peter Catanach and others, of the Townships of Sombra and Moore, County of Kent; praying that the Petition of John A. Wilkes, of the Town of Brantford, for the passing of an Act to grant or confirm to him the right of constructing Dams or other erections in the Township of Sombra, over the River North Sydenham and its tributary, Black Creek, be not granted.

Of the Municipal Council of the Municipality of Shefford; praying that the main Eastern Townships Road, from Longueuil to Granby Village, may be put into a better state of repair.

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Of the Municipal Council of the Municipality of Shefford; praying for the establishment of Courts of Criminal Jurisdiction and Quarterly Sessions of the Peace within the said County.

Of Stephen S. Foster, Esquire, and others, of the County of Shefford; praying for an Act of Incorporation for the construction of a Railroad from opposite the City of Montreal, viâ Chambly and the outlet of Lake Memphramagog, to the Province Line.

Of Hector L. Langevin, of the City of Quebec, Esquire, Advocate; praying for the repeal of so much of the second Section of the Act of Lower Canada 41 Geo. 3, cap. 7, as prevents parties in Upper Canada from prosecuting any action, opposition, or suit before the Courts of Civil Jurisdiction in Lower Canada, without giving security for the costs thereof.

Of A. Huntington and others, of the County of Brant; praying that the Act 13 & 14 Vic. cap. 74, for protecting the Indians in Upper Canada from imposition, and

their lands from trespass or injury, may be amended or repealed.

Of the Town Council of the Town of Brantford; praying that the improvement of the Grand River Navigation may be assumed, and made a Provincial work.

Of the Municipal Council of the United Counties of Wentworth, Halton, and Brant; praying for a general revision and simplification of the Laws, that they be published in a convenient form, and the Queen's Printer required to furnish copies of the same to any person at the actual cost of publication.

Of John A. Wilkes, of the Town of Brantford; praying for the passing of an Act to grant or confirm to him the right of constructing Dams or other erections on his own land, in the Township of Sombra, over the River North Sydenham, and its tributary, Black Creek.

Of Warren Nichols and others, of the Township of Sombra, County of Lambton; praying for the passing of an Act to authorize proprietors of Lot No. 16, in the 13th Concession, and above the same, in the said Township, to construct Dams or other erections over the River North Sydenham and Black Creek, in the said Township.

Of the Trafalgar, Esquesing and Erin Road Company; praying that the Act for establishing a Provincial Post may be amended, so as to enable them to collect Toll on conveyances carrying the Provincial Mails.

Of the Municipal Council of the United Counties of Wentworth, Halton, and Brant; praying that the Office of Inspector of Licenses may be abolished, and the issue of Licenses placed under the control and for the benefit of each Municipality.

Of Mrs. E. Hart, of the City of Hamilton, widow; praying to be liberated from the Gaol of the United Counties of Wentworth, Halton, and Brant, where she has been confined for two years, and is still confined for debt.

Of André Brien and others, of the Townships of Kildare and Cathcart; praying aid for the improvement of certain Roads in the said Townships.

Of Charles P. Treadwell, Esquire, President, on behalf of the Agricultural Society of the United Counties of Prescott and Russell; praying for the establishment of a Model Farm at the eastern extremity of Upper Canada, and that a yearly grant be made for the maintenance thereof.

Of John Ramsay, Chairman, and J.W. Marston, Secretary, on behalf of a Public Meeting of the Inhabitants of L'Orignal and its vicinity; praying for the establishment of a Model and Experimental Farm to be attached to the District Grammar School at that place.

Of James Hodgson, President, and others, on behalf of the Whitby Mechanics' Institute; praying for aid in behalf thereof.

Of the Right Reverend the Bishop of Charroë, and Administrator of the Diocese of Kingston, and others, the Roman Catholic Clergy and Laity of the said Diocese; praying that the Common School Act may be so amended as to grant to the Roman

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Catholics of Upper Canada a separate Board of Education, separate Schools, and an equitable share of the Common School Funds.

Of Griffith Jones, of the City of Kingston; complaining that he has been denied admission to the Provincial Penitentiary in his usual capacity of Edgetool Makers, for having stated certain facts derogatory to the character and management of that Institution, and praying for inquiry and relief in the premises.

Ordered, That the Petition of the Reverend T.H. Prévost, Director, and others, Officers and Members of "La Congrégation des Hommes de Ville-Marie, of Montreal," and the Petition of the Municipality of the Township of Nelson, be referred to the Standing Committee on Standing Orders.

Ordered, That the Petition of Joseph Aumond, Esquire, and others, of the County of Ottawa; the Petition of Peter Aylen and others, of the District of Ottawa; and the Petition of A. Jeffry, Esquire, and others, of the Counties of Northumberland and Peterborough, be referred to the Standing Committee on Railroads, Canals, and Telegraph Lines.

Mr. Street, from the Select Committee to which was referred the Petition of the Municipality of the Township of Stamford, presented to the House, the Report of the said Committee; which was read, as followeth:--

Your Committee beg leave to report, That they have attentively considered the Petition of the Municipality of the Township of Stamford, praying that extended powers may be conferred upon them in their corporate capacity, so as to enable them to make By-Laws, Rules, and Regulations for the better government of that part of the Township which lies contiguous to or in the immediate neighbourhood of the Falls of Niagara; and looking at the vast importance of promoting the peace and security of that locality, and ensuring, as far as practicable, civility and attention to visitors, and others, who annually resort there in great numbers, Your Committee are of opinion that the powers prayed for are highly essential for the welfare of the community in that locality, and they strongly recommend Your Honorable House to pass an Act conferring upon the Municipality the powers which they seek to obtain.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Sixth Report of the said Committee; which was read, as followeth:

Your Committee have examined the Petition of the British America Fire and Life Assurance Company, and find that Notice has been published in the Canada Gazette. This Company not being one of a local nature, as its operations extend over the whole Province, Your Committee are of opinion that the Notice is sufficient.

The Petition of Colonel Gordon Higgins, for incorporation of the Canada Military Asylum, is not of such a nature as to come under the provisions of the 64th Rule.

The Petition of Joseph Blais, sets forth certain difficulties under which he labors in carrying out the provisions of a Will to which he is an Executor, and prays for the passing of an Act, either for his particular relief, or as a general Law, to meet all cases of a like nature. So much of the Petition as relates to the passing of a general Law does not of course come within the province of Your Committee; but so far as any application for a Private Bill is concerned, the Petitioner has given no Notice of his intention, and is not therefore in a position to seek for the passing of an Act to meet his own case individually.

With respect to the Petitions of George J. Ryerse and others,--and of the City of Toronto Gas Light and Water Company, both of which relate to matters of a private and local nature, though it appears that Notices have been inserted in the Canada Gazette, yet none have been published in newspapers belonging to the localities affected, consequently the Notice given is insufficient.

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A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act to provide an efficient remedy against any inconveniences which might result from the destruction of certain Registers of the Parish of St. Louis de Lotbinière," without any Amendment: And also,

The Legislative Council have passed the following Resolutions:--

Resolved, That the Honorable Messieurs Walker, James Morris, Boulton, and Taché, be appointed to act on behalf of this House as Members of the Joint Committee of both Houses for the regulation and management of the Parliamentary Library, and to unite with the Members of the Honorable the Legislative Assembly named for the same purpose, by the Resolution of which a copy is contained in the Message on that subject, this day received from that House.

Resolved, That the foregoing Resolution be communicated to the Legislative Assembly, by one of the Masters in Chancery.

And then he withdrew.

Ordered, That Mr. Street have leave to bring in a Bill to convey portions of a

certain Road allowance in the Township of Barton, between Lots 14 and 15 in the fourth Concession, to James Hamilton and others, as Devisees in trust of P.H. Hamilton.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday the thirtieth instant.

Ordered, That Mr. Mackenzie have leave to bring in a Bill for the regulation of Marriages, and to place upon a footing of equality the several Religious Denominations relative to the solemnization or celebration of Matrimony.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the twenty-second instant.

On motion of Mr. Brown, seconded by Mr. Rose,

MR. BROWN moved an address to His Excellency, the Governor General, asking for copies of all correspondence which may have taken place between the Roman Catholic Bishop of Toronto and the Superintendent of Education for Upper Canada, on the subject of separate Common Schools. He said he had reason to believe that a very important correspondence had taken place between those two functionaries, and he was desirous that it should be made public.⁷

MR. INSP. GEN. HINCKS had no objection to the passage of the address, but thought it right to state to the hon. gentleman that there was no such correspondence as he had referred to in the possession of Government. Such a correspondence had taken place, but the Government would be obliged to apply to the Superintendent of Common Schools for copies of it, if the member for Kent persisted in his motion.⁸

MR. BROWN was aware that the Government could have no objection to lay the correspondence before the House; and from its nature, he supposed that no one could have any objection to do so.⁹

Motion granted.¹⁰

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Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, copies of all Correspondence which may have passed between the Roman Catholic Bishop of Toronto and the Superintendent of Education for Upper Canada, on the subject of separate Common Schools.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Taché, seconded by Mr. Fortier,

Resolved, That the Petition of the Honorable A.N. Morin and others, of Quebec, be exempted from the application of the 64th Rule of this House.

On motion of Mr. Stuart, seconded by Mr. Patrick,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause the proper Officer to lay before this House, all Documents and information respecting the Marriage License Fund arising in Lower Canada, and copies of the Commissions or authority given since the Union of Upper and Lower Canada to the persons from time to time entrusted with the issue of such Licenses, together with an account in detail of all monies collected, received, or paid for Marriage Licenses in Lower Canada, and of all expenses

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attending the collection and payment thereof, specifying the sums received, the sums retained, and the sums paid into the hands of the Receiver General in each year, by the several and respective persons charged with the issuing of such

Licenses, and shewing also whether any of the money so collected remains to be accounted for.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Mackenzie have leave to bring in a Bill to abolish the Office of Queen's Printer, and to provide for the public printing and legal advertizing.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday the fourth of October next.

Ordered, That Mr. Fergusson have leave to bring in a Bill to vest the Harbour of Port Hope, and adjacent premises, in Commissioners.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the Honorable Mr. Attorney General Drummond have leave to bring in a Bill further to extend the time limited for certain purposes by the Montreal Registry Act.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

MR. RIDOUT moved for the printing and distribution of the petition of Messrs. Bryce, McMurrich and others, residents of the City of Toronto, praying for an alteration of the Upper Canada Assessment Act. He made this motion because he had been spoken to by several members of the House, since the introduction of that petition, asking for information on the subject of his prayer. As it referred to a matter of considerable importance to his constituents and to the Upper section of the Province generally, he hoped that there would be no objection to the motion.¹¹

MR. INSP. GEN. HINCKS had no objection to the motion for printing, and did not rise to oppose it, but solely for the purpose of putting a question to the mover. As he understood the matter, the petition was signed by a highly respectable portion of the population of Toronto, who ask for an alteration of the existing Assessment Law. He wished to ask the member for Toronto whether the Corporation of the city, supposed to represent immediately the views of the citizens, have prayed for that alteration or whether the alteration had been prayed for by any considerable portion of the population? He was aware that it was impossible to frame an assessment law to the satisfaction to all, and he had reason to believe that the petition emanated from one class in the community who were desirous of having it amended in their favour. The object of the motion was to draw the attention of the members from the eastern section of the Province, who are not acquainted with the working of the law, and the attention of the new members who cannot know the difficulty encountered in framing it, directly to the subject; that being the case he desired to know from the hon. member what is the feeling of his constituents, generally, on the subject, and whether the corporation joined in the prayer, or whether it was merely an emanation of sectional feeling.¹²

MR. RIDOUT replied, that if the petition had been read, the House would have been put in possession of the information that the alteration prayed for is desired by a large number of the inhabitants of Toronto. The subject had not been brought specially to the notice of the Corporation, and consequently no action had been taken by that body with reference to this specific alteration. He could not take on himself to say that the Corporation, in their collective capacity would send such a petition as that of Messrs. Bryce and McMurrich to the House; but it would be found, on reference to the signatures to that petition, that a large number of the members of that body joined in the prayer, and it is within his knowledge that many of them entertain sentiments similar to those expressed by the petitioners. He had not originally intended to incur the expense of printing, but he had subsequently been

induced to do so, in consequence of the anxiety experienced by gentlemen representing not only the cities and boroughs, but also the counties, to make themselves acquainted with the question.¹³

MR. BOULTON of Toronto said there is a petition of the Corporation of Toronto to the House, praying for amendments to their charter, but he did not know that it made any reference to the assessment law. The movement in favour of its alteration is so popular and general, that they may have thought action on the subject unnecessary on their part.¹⁴

MR. DIXON was glad that the motion had been made. He is not intimately acquainted with all the merits of the case, but he knows that the assessment law, in the present shape, gives great and general dissatisfaction.¹⁵

Motion granted.¹⁶

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Ordered, That the Petition of Messieurs Bryce, McMurrich and Company, and others, Merchants and Traders, of the City of Toronto, be printed for the use of the Members of this House.

Ordered, That Mr. Ridout have leave to bring in a Bill to amend the Act extending the powers of the British America Fire and Life Assurance Company on Marine Assurance.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Mr. Speaker reported to the House, That the Recognizance to the Petition of Luc Letellier, Alexander Fraser, and Cyprien Lebel, complaining of an undue Election and Return for the County of Kamouraska, is unobjectionable.

MR. J.S. MACDONALD the SPEAKER, announced that the warrant he had signed for a general election committee had lain on the table for three days, without objection being made to the committee, as constituted. He therefore requested the several members to take the oath.¹⁷

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The Honorable Jean Chabot, the Honorable John Alexander Macdonald, David Christie, Esquire, George Percival Ridout, Esquire, Antoine Polette, Esquire, and John Sewall Sanborn, Esquire, being the Members appointed by Mr. Speaker to serve on the General Committee of Elections, and not objected to by the House, severally took the following Oath:

I do swear that I will truly and faithfully perform the duties belonging to a Member of the General Committee of Elections, without fear or favor, to the best of my judgment and ability. So help me God.

Mr. Speaker appointed To-morrow at Ten of the clock in the forenoon, in Committee Room No. 1, for the first meeting of the General Committee of Elections.

The Honorable Mr. Viger claimed to be excused from serving on Election Committees, on grounds of ill health.

MR. VIGER was excused from serving.¹⁸

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Resolved, That the Honorable Mr. Viger be excused from serving on Election Committees during the present Session.

The Honorable Mr. Papineau claimed to be excused from serving on Election Committees, on account of his advanced age and ill health.

MR. PAPINEAU desired to be excused from serving, on the plea of ill-health¹⁹.

He [Mr. Papineau] was excused on motion, after a very flowery compliment had been paid to his talents, integrity and experience as a parliamentary lawyer, by

COL. PRINCE.²⁰

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Resolved, That the Honorable Mr. Papineau be excused from serving on Election Committees during the present Session.

Thomas Hall Johnson, Esquire, claimed to be excused on the grounds that he holds an Office which requires his attendance during the sittings of the Court of Queen's Bench in the United Counties of Prescott and Russell, and that the Act under which he is appointed makes no provision for the nomination of a Deputy.

MR. JOHNSON also desired to be excused, on the ground that he is a clerk of the Court of Queen's Bench, and it would be necessary for him to attend in person to the duties, as the Act constituting the Court makes no provision for a deputy.²¹

MR. H. SMITH (Frontenac) perceived only two modes by which the gentleman could relieve himself from the responsibility,—one is, to ask for leave of absence; and the other, to resign. He would decidedly advise the hon. member to resign. (Much laughter.)²²

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Mr. Taché moved, seconded by Mr. Fortier, and the Question being put, That Thomas Hall Johnson, Esquire, be excused from serving on Election Committees for the reasons assigned by him; the House divided:--And it passed in the Negative.

A motion to excuse Mr. Johnson was lost.²³

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On motion of the Honorable Mr. Chabot, seconded by the Honorable Mr. Macdonald, Ordered, That the Corrected Alphabetical List of Members to serve on Election Committees, be referred to the General Committee of Elections.

Ordered, That the Petition of Luc Letellier, of the Parish of Rivière Ouelle, in the County of Kamouraska, and as such duly qualified, and Alexander Fraser, of the Parish of St. André, in the County of Kamouraska aforesaid, Notary, and Cyprien Lebel, of the Parish of St. Louis of Kamouraska, in the County of Kamouraska, aforesaid, Esquire, complaining of an undue Election and Return for the County of Kamouraska, which was presented on the 27th day of August last, be referred to the General Committee of Elections.

The Order of the day for the second reading of the Bill to establish Courts of Conciliation or Arbitration in Upper Canada, being read;

*Mr. Mackenzie moved, seconded by Mr. Johnson, and the Question being proposed, That the Bill be now read a second time;*²⁴

MR. MACKENZIE moved the second reading of his bill to establish Conciliation Courts²⁵. [He] spoke for a long time in its favour; beginning by stating that²⁶ the bill was copied word for word from the law now existing in the State of New York, where it had given much satisfaction²⁷. [He explained] that the object of his measure was to bring litigants before a judge, in order that instead of a suit in the usual form, they might be informed of their rights, and advised how they might settle their dispute. He then cited statistical accounts of the number of suits that had been decided in Continental countries.²⁸ The idea, of establishing these courts originated in France ... [and] it has conferred great blessings on the population of that country, 726,000 out of 900,000 cases having been settled in these courts at a low rate of cost to the litigants. They are established in Sweden²⁹, Denmark³⁰, and other countries where their benefits are also experienced and appreciated. General Washington was in favour of the principle on which they are founded.³¹ He went on to point out some of the inconsistencies, which he found in the administration of the law Courts.³² They were in existence in the neighbourhood of Kingston and Upper Canada; the Montreal Board of Trade³³ had, he said, adopted this system of arbitration; and he had been informed that the same thing had been done in Kingston with good effect. The Quebec Chronicle, too, an excellent

paper, had last year some very eloquent remarks in favour of the same thing. He proposed that if persons would not come before Conciliation Courts, they should get no costs in case they recovered. He again quoted a number of authorities in favor of his plan.³⁴ Daniel O'Connell made great efforts to establish them in Ireland, and was indicted for it and put in the Penitentiary, from which he was freed by the English Judges. That last act was the work of the lawyers. They were hostile, everywhere, to these Courts, as their enormous fees were cut down, and parties to a suit were enabled to get justice at a reasonable rate, instead of being compelled to pay five or six pounds here, and five or six pounds there, for fees, writs, warrants and all the other encumbrances with which justice is surrounded and strangled by law. He argued the question at great length, explaining that he had no hostility to lawyers, but had infinite hostility to the system of jurisprudence they had succeeded in establishing and which they would not permit to be amended.³⁵

COL. PRINCE replied in some very humorous remarks³⁶ [and] heaped unmeasured ridicule on the mover and on the bill³⁷ contending that the whole bill was absurd, calculated to throw everything into confusion, and entirely opposed to British ideas³⁸ of law³⁹. [He went] over the details of the bill and ... [ridiculed] the idea of allowing women⁴⁰, married and single⁴¹, to bring suits in these Conciliation Courts, or to be sued; and especially of their being locked up in a room⁴² where the case was to be tried by the Judge, and left him, all alone⁴³, [to] the⁴⁴ exclusion of all witnesses and counsel, at the mercy of, perhaps, any young and pretty woman who might be party to a suit. In such a case it would not be difficult to tell what the Judge's decision would be. Another consequence would be, that if two men came before the arbitrator with a case for judgement, the man who did not possess much forensic talent, who might possibly be half a fool, would be completely in the power of an astute and clever adversary, for want of counsel to state his case clearly. The provision contained in the bill, making it compulsory on litigants to go to an Arbitration Court, was also highly objectionable. He had no objection to the principle of arbitration; it is frequently resorted to now, to the great benefits of parties concerned; but he had a decided objection to the proposal to compel litigants to submit their cases to arbitration, and he had also a decided objection to a scheme which would take laymen, farmers, shoemakers, tinkers and sailors,--for all of whom he had high respect, while attending to their proper occupations--and convert them into pleaders before a Judge. The gentleman was wrong in saying that Daniel O'Connell was indicted for attempting to establish Conciliation Courts in Ireland; that was not the ground of indictment. He had signally failed in the experiment and the huge building which he had erected with the contributions of others, for the purpose of holding these Courts was converted into an arena where sedition and treason were uttered. That was the ground of indictment; and his liberation from prison, turned on the fact that the Irish Judges, before whom he was tried took a verdict erroneous in point of law from the jury.⁴⁵ [He reminded] the hon. member of the maxim ne sutor ultra crepidam, and express[ed] his hopes that his hon. friend would hereafter leave the difficult task of drawing acts of Parliament to those who had made it their study. No one could question⁴⁶ the versatility of talent of the member for Haldimand, or his great parliamentary experience, but that gentleman had mistaken his vocation when he conceived that he possessed the talent of drafting Acts of Parliament. The gentleman, doubtless, supposed⁴⁷ there was no end to the subjects to which he was equal⁴⁸, that he was capable of doing anything and everything; and whenever he rose, invariably reminded him (Mr. P.) of the old song--

"For cabagging and sewing

For bleeding or tooth drawing

Dick Gossip, Dicky Gossip's the man"⁴⁹.

[Although] Colonel Prince, ridiculed the bill and its author ... [he thought] ... that the bill should be read a second time, and referred to a select committee.⁵⁰

MR. MERRITT was in favour of the principle of the bill, but could not vote for

the details,⁵¹ and as to details⁵², if the House were to wait for the lawyers to draft a bill to establish Conciliation Courts, and thus cut off their own costs, they would be compelled to wait a very long time. As he approved of the principle, he should vote for the second reading, in order that the bill might be referred to a special committee, and returned to the House in a shape which would ensure support.⁵³ He thought the old courts of Requests were excellent courts.⁵⁴

MR. JOHNSON was also in favor of the bill and⁵⁵ had seconded the motion for the second reading on the distinct understanding that the bill would be referred to a special committee.⁵⁶ [He] mentioned some kind of action which might be readily tried by the courts without the present expensive forms.⁵⁷ His object was to obtain the introduction of a system which will have the effect of cutting off the enormous costs now attending every civil suit.⁵⁸

MR. BOULTON was also in favour of the principle of the bill⁵⁹ [and] spoke to the same effect⁶⁰, but he confessed that it was impossible to give it any cordial support from the peculiar manner in which it was drafted.⁶¹ It was doubtless very difficult to vote for any measure of the hon. member for Haldimand considering the strange way in which they were drawn. It seemed to him that instead of two arbitors being dragged up, with a lawyer on each side of them, by the help of writs and so on, at great expense to the parties, it would be very easy and much better for the two parties knowing they had a difference, to come up of their own accord and get it decided. He would not however compel people to this course, but leave it to their own will. This was the principle of a measure he had before the House, and⁶² like every other new principle in legislation it excited surprise and consternation, but as there was really good in it he hoped it would not be laughed out of the House, as it had been last year, but that it would be referred to a special⁶³ [or] select Committee.⁶⁴

MR. ROSE was greatly in favour of the bill, and though it had been laughed at, there was nothing as ridiculous in it as there was disgraceful in the bill of the hon. member for Essex to prevent clergymen from voting at elections. The reduction of law costs was an object which the people of Canada had much at heart, and might be readily done, if persons were to set themselves earnestly to work to do it, by making arbitration legal.⁶⁵

MR. AT. GEN. DRUMMOND said that in Lower Canada the common law already recognized Courts of Arbitration. For his own part he had no objection to the execution of the principle, though⁶⁶ he thought⁶⁷ the details deserved all the ridicule thrown upon them. He would vote for the reference to a Committee, for the purpose of seeing what could be done.⁶⁸

MR. H. SMITH thought the hon. member for Lincoln the most extraordinary person in the House.--Yesterday he voted for the Maine Liquor Law because it was to do away with the excise law, and today, he said he would vote for this bill because it was the same thing as the old Court of Requests; now there was not a single description of dispute contemplated by the bill as libel, slander, assault, battery, &c., which was ever tried at all in those Courts of Requests. The hon. member for Dundas was just as inconsistent, and indeed the whole bill was perfectly absurd. He would not therefore, stultify himself by voting for a committee; but would⁶⁹ follow the course he had pursued last year, and⁷⁰ take the Parliamentary course of moving a six months hoist.⁷¹

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Mr. Smith of Frontenac moved in amendment to the Question, seconded by Mr. Cauchon, That the word "now" be left out, and the words "this day six months" added at the end thereof;

MR. MACKENZIE condemned Mr. Prince for the slighting manner in which he spoke of shoemakers &c.⁷²

COL. PRINCE replied that he had not spoken slightly of any of those persons; but only wished to keep them to departments where their talents fitted them to be.⁷³

MR. MACKENZIE went on to say that the law from which he had copied this bill in the state of New York, was drawn by some of the ablest lawyers in that state.⁷⁴

MR. AT. GEN. RICHARDS was willing to vote for the reference to a Committee; much good might be done if a bill could be framed which would obtain the support of the House.⁷⁵ At present parties who chose might submit their facts to a judge, and get his decision on the last point. That ought to be extended to the county courts. That would be the effect of a proper bill.⁷⁶

MR. J.A. MACDONALD (Kingston) would also vote for the reference to a Committee in order to prevent the member for Haldimand from getting up an agitation on the subject. He⁷⁷ would be very glad if the Hon. Attorney General would take up the law of arbitration in a large point of view; but he⁷⁸ suggested, however, that⁷⁹ if there were to be a committee on the bill, that no lawyer would be upon it, since it was clear that the promoters of the bill had no confidence in them.⁸⁰ It was evident that the friends of the bill seemed to entertain the opinion that the lawyers had entered into a conspiracy against the rest of the community.⁸¹

MR. DIXON said that the bill would only give to the county judges the same power which now belonged to the Justices of the Peace, each of whom was properly a conservator of the peace, and bound to help as much as possible to conciliate his neighbors. He thought the term Conciliation Courts was an absurdity, but he would be glad to see Arbitration Courts properly established.⁸²

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And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Cartier, Chapais, Christie of GASPE, Dixon, Dubord, Dumoulin, Fortier, LaTerrière, Laurin, LeBoutillier, Lemieux, Malloch, McDougall, Prince, Sicotte, Smith of FRONTENAC, Stevenson, Terrill, Viger, and Wright of West Riding of YORK.
--(20.)

NAYS.

Messieurs Badgley, Boulton, Brown, Burnham, Chabot, Christie of WENTWORTH, Clapham, Crawford, Attorney General Drummond, Fergusson, Fournier, Gamble, Gouin, Hartman, Hincks, Johnson, Langton, McDonald of CORNWALL, Macdonald of KINGSTON, Mackenzie, Mattice, McLachlin, Merritt, Morin, Paige, Papineau, Patrick, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Rose, Sanborn, Seymour, Shaw, Street, Tessier, Turcotte, Valois, Varin, White, Willson, and Wright of East Riding of YORK.--(44.)

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So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Brown, Burnham, Chabot, Christie of WENTWORTH, Clapham, Crawford, Attorney General Drummond, Fergusson, Fournier, Gamble, Gouin, Hartman, Hincks, Johnson, Langton, McDonald of CORNWALL, Macdonald of KINGSTON, Mackenzie, Mattice, McLachlin, Merritt, Morin, Paige, Papineau, Patrick, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Rose, Sanborn, Seymour, Shaw, Street, Tessier, Turcotte, Valois, Varin, White, Willson, and Wright of East Riding of YORK.--(44.)

NAYS.

Messieurs Cartier, Chapais, Christie of GASPE, Dixon, Dubord, Dumoulin, Fortier,

LaTerrière, Laurin, LeBoutillier, Lemieux, Malloch, McDougall, Prince, Sicotte,
Smith of FRONTENAC, Stevenson, Terrill, Viger, and Wright of West Riding of YORK.
 --(20.)

So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Mackenzie, Mr. Johnson, Mr. Rose, Mr. Hartman, and Mr. Boulton, to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Boulton,
 The House adjourned.

[NOTICE OF ADDRESS RE: WAR MEDALS.]⁸³

MR. MERRITT [gave notice that he would move the following Address to Her Majesty]:

Resolved, That an humble Address be presented to Her Majesty, representing the disappointment of many of the Inhabitants of this Province, when they discovered that the hardest fought battles in Canada were not included in the General Order of the first of June, 1847, which awarded Medals for certain actions.

That the said General Order confined the distribution of Medals to those actions only where the General or Superior Officer of the several Armies, or Corps of Troops engaged, had already received that distinction, consequently many of the battles of this country do not come under the rule thus laid down, and this House has reason to believe it will not be departed from in behalf of the Canadian Militia without a strong representation from this House.

That Her Majesty's attention be accordingly called to the distinguished services of the Canadian Militia during the War with the United States of America with a view of removing the invidious distinction created by the distribution of those Medals.

That on the 27th June, eighteen hundred and twelve, war was proclaimed by the United States against Great Britain, and on the 11th July following, Canada was invaded by General Hull, at Sandwich, in the western part of the Province, which was the commencement of the first campaign; at the same time, the American Town of Ogdensburgh, at the head of the rapids of the St. Lawrence, was strongly fortified, in order to control the navigation of that River.

That the whole disposal force above Kingston at that time, did not exceed six hundred men (the 41st Regt.).

That on the 13th October, the second attempt at invasion was made at Queenston, and on the 28th November, the third at Frenchman's Creek, below Fort Erie, under Colonel Boerstler, and the fourth under General Smith, near Fort Erie, on the 2nd of December; the first campaign ending by the capture of Machilimakinaw [sic] and Detroit.

That the most extensive preparations were made, by the Government of the United States, for invading Canada at different points during this year, 1813. Eight thousand men were raised to serve under General Hampton, called the Army of the North; General Dearborne commanded the Army of the Centre, and General Harrison, the Army of the West.

That the campaign opened by the American Army of the North moving on Lower Canada by Lake Champlain--by the British forces under Colonel Macdonald and Militia of the Johnstown and Eastern Districts, crossing on the ice, on the 22nd of February, and capturing the Garrison of Ogdensburgh, and by the enemy's Army of the centre capturing York, on 27th April, and Niagara, 27th May.

That the advanced Army of the West, under General Winchester, was moved on as far as the River Raisin, as early as 22nd January.

That notwithstanding, Canada was invaded by these formidable Armies at five different points, and the whole force concentrated in November to attack Montreal, the second campaign ended by the capture of Fort Niagara in the United States, on the 18th December.

That the whole power of the United States was concentrated at the commencement of 1814 at Buffalo, opposite the Niagara Frontier, under General Brown; the tenth invasion was made at Fort Erie, on the 3rd of July, and in December the same Army returned into winter quarters at Buffalo, after leaving the entire Frontier a scene of ruin and desolation.

That the third and last campaign was thus brought to a close without the loss of a single acre of territory, the Canadian Militia having acquired, in common with the British Forces, a reputation for loyalty and gallantry of which their posterity may feel justly proud.

That Her Majesty be therefore prayed to be pleased to confer a similar Medal, as

already awarded for the battles of Detroit, of Chrysler's Farm, and of Chateauguay, on the few survivors who so successfully defended their Country, by the capture of Michilimackinaw and in the battle of Queenston, on the 18th of October, 1812; the capture of Ogdensburgh, 22nd February, the defeat and capture of General Winchester and his Army at the River Raisin, 22nd January; York, 27th April, Beaver Dams, 24th June, Maumie, 9th May, Niagara, 27th May, Stoney Creek, 6th January, and the capture of Fort Niagara, on the 18th December, 1818, the battle of Longwoods, 4th March, Chippewa, 6th July, of Lundy's Lane, on the 28th July, and the seige of Fort Erie in the month of September, 1814.

That His Majesty King George the Third, ordered that the word "Niagara" should be inscribed on the Colours of the Glengary Light Infantry and the Incorporated Militia of Upper Canada, for their gallant conduct on that Frontier; and that if they deserved such marked distinction they surely deserve a Medal to commemorate it.

That although, from the length of time which has elapsed, but few of the gallant men remain who were then so conspicuously instrumental in saving this important portion of the British Empire, Her Majesty's faithful Commons humbly hope that Her Majesty will graciously grant the prayer of their loyal Address.⁸⁴

[QUESTION AND ANSWER RE: ELECTION OF MEMBERS FROM THE CITIES OF QUEBEC AND MONTREAL.]⁸⁵

MR. STUART [asked a question.]⁸⁶

In answer ... MR. AT. GEN. DRUMMOND said it was the intention of government during the present session of the Legislature, to introduce a measure to ensure the freedom of election of members of Parliament to represent the cities of Quebec and Montreal and to resort to the system of enregistration so advantageously adopted in other places.⁸⁷

FOOTNOTES: 8 SEPTEMBER 1852.

1. LA MINERVE, 11 September 1852, described the day's proceedings as follows:
" . . . la chambre s'est ajournée à bonne heure, en conséquence d'un dîner donné par M. l'orateur aux membres de l'assemblée législative. La seule discussion qui ait eu lieu a été sur un bill de M. McKenzie pour établir des cours de conciliation; les avocats se donnèrent beaucoup de plaisir, entr'autres le col. Prince qui amusa quelque tems la chambre par un de ces discours sarcastiques et facétieux qui n'offensent personne."
2. The following papers reported the debate on this matter in identical accounts: MONTREAL GAZETTE, 13 September 1852, which was virtually illegible, and JOURNAL DE QUEBEC, 9 September 1852. The debate was also reported by LA MINERVE, 11 September 1852.
3. JOURNAL DE QUEBEC, 9 September 1852.
4. LA MINERVE, 11 September 1852.
5. JOURNAL DE QUEBEC, 9 September 1852.
6. LA MINERVE, 11 September 1852.
7. GLOBE, 16 September 1852.
8. IBID.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. The following papers reported the debate on this matter in identical accounts: PILOT, 9 September 1852, HAMILTON SPECTATOR DAILY, 9 September 1852, GLOBE, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, BRITISH WHIG, 10 September 1852, BRITISH COLONIST, 10 September 1852, HAMILTON GAZETTE, 13 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and BATHURST COURIER, 17 September 1852; MORNING CHRONICLE, 9 September 1852, QUEBEC GAZETTE, 10 September 1852, MONTREAL GAZETTE, 11 September 1852, PILOT, 11 September 1852, HAMILTON SPECTATOR DAILY, 14 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN, 21 September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN WEEKLY, 23 September 1852. The debate was also reported by GLOBE, 16 September 1852. The following papers noted the debate in identical accounts: MONTREAL GAZETTE, 10 September 1852, BRITISH COLONIST, 10 September 1852, HAMILTON SPECTATOR DAILY, 10 September 1852, GLOBE, 11 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BATHURST COURIER, 17 September 1852, and OTTAWA CITIZEN, 18 September 1852. The debate was also noted by BRITISH WHIG, 10 September 1852. A commentary appeared in LA MINERVE, 11 September 1852.
25. GLOBE, 16 September 1852.
26. MONTREAL GAZETTE, 11 September 1852.
27. GLOBE, 16 September 1852.
28. MONTREAL GAZETTE, 11 September 1852.
29. GLOBE, 16 September 1852.
30. MONTREAL GAZETTE, 11 September 1852.

31. GLOBE, 16 September 1852.
32. MONTREAL GAZETTE, 11 September 1852.
33. GLOBE, 16 September 1852.
34. MONTREAL GAZETTE, 11 September 1852.
35. GLOBE, 16 September 1852.
36. MONTREAL GAZETTE, 11 September 1852.
37. GLOBE, 16 September 1852.
38. MONTREAL GAZETTE, 11 September 1852.
39. GLOBE, 16 September 1852.
40. MONTREAL GAZETTE, 11 September 1852.
41. GLOBE, 16 September 1852.
42. MONTREAL GAZETTE, 11 September 1852.
43. GLOBE, 16 September 1852.
44. MONTREAL GAZETTE, 11 September 1852.
45. GLOBE, 16 September 1852.
46. MONTREAL GAZETTE, 11 September 1852.
47. GLOBE, 16 September 1852.
48. MONTREAL GAZETTE, 11 September 1852.
49. GLOBE, 16 September 1852.
50. BRITISH WHIG, 10 September 1852.
51. GLOBE, 16 September 1852.
52. MONTREAL GAZETTE, 11 September 1852.
53. GLOBE, 16 September 1852.
54. MONTREAL GAZETTE, 11 September 1852.
55. IBID.
56. GLOBE, 16 September 1852.
57. MONTREAL GAZETTE, 11 September 1852.
58. GLOBE, 16 September 1852.
59. IBID.
60. MONTREAL GAZETTE, 11 September 1852.
61. GLOBE, 16 September 1852.
62. MONTREAL GAZETTE, 11 September 1852.
63. GLOBE, 16 September 1852.
64. MONTREAL GAZETTE, 11 September 1852.
65. IBID.
66. GLOBE, 16 September 1852.
67. MONTREAL GAZETTE, 11 September 1852.
68. GLOBE, 16 September 1852.
69. MONTREAL GAZETTE, 11 September 1852.
70. GLOBE, 16 September 1852.
71. MONTREAL GAZETTE, 11 September 1852.
72. IBID.
73. IBID.
74. IBID.
75. GLOBE, 16 September 1852.
76. MONTREAL GAZETTE, 11 September 1852.
77. GLOBE, 16 September 1852.
78. MONTREAL GAZETTE, 11 September 1852.
79. GLOBE, 16 September 1852.
80. MONTREAL GAZETTE, 11 September 1852.
81. GLOBE, 16 September 1852.
82. IBID.
83. This notice of address was reported by HAMILTON SPECTATOR DAILY, 8 September 1852; and HAMILTON SPECTATOR WEEKLY, 9 September 1852.
84. HAMILTON SPECTATOR WEEKLY, 9 September 1852.
85. The following papers reported this question and answer in identical accounts:

MORNING CHRONICLE, 9 September 1852, QUEBEC GAZETTE, 10 September 1852, MONTREAL GAZETTE, 11 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN, 21 September 1852, and NORTH AMERICAN WEEKLY, 23 September 1852; PILOT, 9 September 1852, HAMILTON SPECTATOR DAILY, 9 September 1852, GLOBE, 9 September 1852, MONTREAL GAZETTE, 9 September 1852, BRITISH WHIG, 10 September 1852, BRITISH COLONIST, 10 September 1852, HAMILTON GAZETTE, 13 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and BATHURST COURIER, 17 September 1852.

86. PILOT, 9 September 1852.

87. MONTREAL GAZETTE, 11 September 1852.

THURSDAY, 9 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Reports of the Corporation of La Communauté des Soeurs de Ste. Croix of the Parish of St. Laurent,--and of the Corporation of L'Académie Industrielle de St. Laurent.

For the said Reports, see Appendix (W.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of the Reverend Frederick Mack and others, of Amherstburg and its vicinity.

By the Honorable Mr. Badgley,--The Petition of Alexander M. Delisle and William H. Brehaut, Esquires, Clerks of the Peace for the District of Montreal.

By Mr. Sanborn,--The Petition of the Municipal Council of the Municipality of Sherbrooke; and the Petition of the Council of Bishop's College at Lennoxville.

By Mr. Christie of Wentworth,--The Petition of the Brantford and Buffalo Joint

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Stock Railroad Company; and the Petition of George Rolph, Esquire, of the Town of Dundas.

By Mr. Fergusson,--The Petition of George Jackson and others, of Bentinck and other Townships.

By Mr. Marchildon,--The Petition of Joseph Fugère and others, of the Parish of St. Stanislas, County of Champlain.

By the Honorable Mr. Merritt,--The Petition of John Gilleland and others, of the County of Lincoln.

By Mr. Wright of the West Riding of York,--The Petition of the Reverend Thomas Dickson and others, of the Township of Caledonia, County of Peel.

By Mr. Wright of the East Riding of York,--The Petition of William Pringle, Junior, and others, of the Township of Markham and places adjacent, United Counties of York, Ontario, and Peel.

By Mr. Brown,--The Petition of the Reverend Robert Rogers and others, the Congregation of St. James' Church in the City of Kingston.

By Mr. Mackenzie,--The Petition of the Municipality of the Township of Crowland.

By Mr. Stuart,--The Petition of William Price, Esquire, and others, interested in the Trade and Navigation of the River St. Lawrence.

By the Honorable Mr. Macdonald,--The Petition of Edmund Boyle, of the City of Kingston.

By Mr. Turcotte,--The Petition of P.A.R. de Bellefeuille and others, late Officers of the Municipal District of Three Rivers.

By Mr. Solicitor General Chauveau,--The Petition of F.X. Garneau, Esquire, and others, Officers of L'Institut Canadien de Québec; and the Petition of the Municipal Council of the County of Quebec, and of the inhabitants of the Parish of Charlesbourg and other places.

By the Honorable Mr. Attorney General Richards,--The Petition of Alfred Digby, Surgeon, and others, Chiefs and Warriors of the Six Nations of Indians residing on the Grand River; and the Petition of H.P. Holmes and others, of the Township of Yonge.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Corporation of the Montreal General Hospital; praying for aid in behalf thereof.

Of George Hamilton and others, of the County of Prescott; of the Town Council of the Town of Bytown; and of Alexander Workman and others, of the Town of Bytown, merchants, and others; praying for the construction of a Canal of dimensions similar to the St. Lawrence Canals, to connect the waters of the River St. Lawrence above the Village of Caughnawaga with those of Lake Champlain.

Of the Very Reverend T. Kirwan and others, Roman Catholic Inhabitants of the

Town and vicinity of London; praying for the passing of an Act to define the rights and privileges of separate Schools under the Common School Act.

Of John McIntosh; praying payment of a certain amount for articles furnished by him to the Militia on the order of their Colonel, at Fort Erie, during the troubles of 1837.

Of William Smith, Moderator, and Thomas L. Davidson, Clerk, on behalf of the Grand River Association of Regular Baptists; of William Laurie and others, of the Township of West Gwillimbury; and of B.W. Stevens and others, of the Townships of Caradoc, Lobo, and Delaware; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating Liquors, except for medicinal and mechanical purposes.

Of the Bytown and Prescott Railway Company; praying for certain amendments to their Act of Incorporation.

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Of the Town Council of the Town of Bytown; and of the Bytown and Prescott Railway Company; praying that a Loan [of] £75,000 in Provincial Debentures be granted to aid in the completion of the said Railway.

Of Robert Spence, Esquire, Chairman, on behalf of a public meeting of the inhabitants of the Town of Dundas; praying for the passing of an Act similar in its provisions to that adopted by the Legislature of the State of Maine, for the suppression of Drinking Houses and Tippling Shops.

Of the Municipality of the Township of Oxford; and of the Reverend John McLachlan and others, of the Village of Acton and its vicinity; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of the University of Queen's College at Kingston; praying aid for the endowment of the said University.

Of George Gurnet, Esquire, and others, Clerks of the Peace of the Western Division of Canada; praying that no further reduction be made in the income of Clerks of the Peace.

Of Mrs. E. Arnoldi and others, Charitable Ladies, the Directresses and Officers of the Catholic Orphan Asylum at Montreal; praying for aid in behalf thereof.

Of Mrs. Brigitte Gosselin, of the City of Quebec, Widow of the late Augustin Laperrière; praying that a Pension be granted to her in consideration of the long and faithful services of her late husband as a Messenger to the Legislative Assembly.

Of the Municipality of the Township of Guelph; praying for certain amendments to the Jurors' Acts 13 & 14 Vic. cap. 55, and 14 & 15 Vic. cap. 65.

Of Charles Fortin, of the Parish of St. George of Henryville; praying to be indemnified for loss sustained by him during the late Rebellion.

Of the Reverend A. Groulx and others, of the Parish of St. Benoit; praying indemnity for the destruction of the Church and Church Property of the said Parish by the Army, in the year 1837.

Ordered, That the Petition of Thomas Simard and others, Pilots for and below the Harbour of Quebec; the Petition of Cornelius O'Sullivan and others, of the City of Quebec; the Petition of Thomas C. Lee and others interested in Shipping in the Port of Quebec; the Petition of Antoine Paquet and others, of the City of Quebec; and the Petition of Messieurs Charles E. Levey and Company, and others, Shipbuilders, and others interested in the Trade of Quebec, be referred to the Select Committee appointed to enquire into and report upon the expediency of encouraging Shipbuilding in this Province.

Mr. Dubord moved, seconded by Mr. Christie of Gaspé, and the Question being proposed, That the Petition of Joseph Painchaud, M.D., Esquire, and others, of the City of Quebec, praying indemnity for damages sustained by their property by reason of the act of Colonel Higgins in blowing up, with powder, certain buildings during the Fire in the said City, on the 26th December, 1851, be referred to a Select

*Committee, composed of the Honorable Mr. Papineau, Mr. Prince, Mr. Langton, Mr. Christie of Gaspé, and the mover, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records;*¹

MR. DUBORD moved the reference of the petition of Dr. Painchaud, claiming indemnity for damage sustained by the blowing up of his House by the military authorities on the occasion of a fire in the city of Quebec, in 1851 and also an investigation into the conduct of the military commandant.²

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Mr. Christie of Gaspé moved in amendment to the Question, seconded by Mr. Smith of Frontenac, That all the words after "That" to the end of the Question be left out, and the words "so much only of the Petition of Joseph Painchaud, M.D., Esquire, and others, of the City of Quebec, against Colonel Higgins, as asks for inquiry, be referred to a Select Committee, composed of the Honorable Mr. Papineau, Mr. Prince, Mr. Langton, Mr. Dubord, and the mover, to report thereon with all convenient speed; with power to send for persons, papers, and records" added instead thereof;

MR. R. CHRISTIE of Gaspé, moved in amendment, that so much only of the said Petition against Colonel Higgins as asks for enquiry, be referred to the said proposed committee.³

MR. AT. GEN. DRUMMOND objected to the receipt of the petition, inasmuch as it related to a subject the House had nothing to do with. It was preposterous to suppose that the House could repay losses sustained by the destruction of buildings at fires.⁴

The motion was resisted by the Government on the ground that there was no power vested in an individual member by the constitution to originate money votes.⁵

A lively debate ensued and that part of the motion claiming indemnity ... [was] withdrawn.⁶

MR. R. CHRISTIE only desired an inquiry⁷ [and] urged the reference for investigation with much warmth.⁸ The information which he had received led him to believe that Col. Higgins had acted in a manner so worthy of condemnation that were he a Field Marshal it would, if properly brought to light, cause the loss of his commission. He wanted this to be examined into by the sole competent authority, that of the House of Assembly.⁹

MR. AT. GEN. DRUMMOND would not oppose the petition if put on that ground.¹⁰

A long conversation followed on the subject¹¹.

MR. CHABOT explained that the indemnity sought for the petitioners was not from the Provincial government; but, perhaps, from the Imperial government if the inquiry resulted in showing that that would be just.¹²

MESSRS. PAPINEAU, CAUCHON, [and] STUART, all urged the inquiry.¹³

MR. STUART [alleged] that Col. Higgins was not at all to blame, he having blown up the centre of a row of buildings, to save one end of it taking flames from the other end, which was on fire, and thus accidentally injuring the petitioner's house, for which the latter ought, however, to be remunerated, as he, Mr. Stuart, thought, from the Imperial government.¹⁴

On the other hand, it was contended by MR. AT. GEN. RICHARDS and some other members that if Colonel Higgins had injured private property without proper authority, he was amenable to the ordinary legal tribunals, and those who had suffered ought to seek that mode of redress and not come before the House to seek extraordinary remedies.¹⁵

After considerable interruption and loud cries of "order" by the House, MR. J.S. MACDONALD the SPEAKER declared that the member for Gaspé was out of order; and that if he did not resume his seat, he the SPEAKER would be compelled to name him.¹⁶

MR. R. CHRISTIE rose in much excitement and attempted to address the Speaker amidst loud cries of order and chair.¹⁷ Oh! go on and name me, Mr. Speaker. I do not see what effect that will have.... Mr. Christie attempted to get a hearing, but was rendered completely inaudible. As he still remained on his feet, and continued to gesticulate.¹⁸

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And Mr. Speaker having declared that the said proposed Amendment and Motion were both out of order; and Mr. Christie of Gaspé having persisted in addressing the House after being repeatedly called to order by Mr. Speaker, he was eventually named by Mr. Speaker.

After several warnings from MR. J.S. MACDONALD the SPEAKER that he should be obliged to call on the hon. member by name, he at length did so.¹⁹ "Mr. Christie!"²⁰

MR. R. CHRISTIE continued to retain his feet and to attempt to speak.²¹ A momentary silence followed, and the member for Gaspé sat down.²²

MR. INSP. GEN. HINCKS said:--As the hon. member has been named by the Speaker, it is his duty to retire.²³

MR. H. SMITH (Frontenac). It is not his duty to retire. The hon. and gallant knight from Hamilton²⁴, Sir A. McNab²⁵, was upon one occasion named by the Speaker²⁶ in my presence and²⁷ he did not retire. It is for the House to act. Let the House go on with it.²⁸

MR. PROV. SEC. MORIN explained the practice in such cases.²⁹

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Mr. Christie then explained.

MR. R. CHRISTIE.--In consequence of what has fallen from the Provincial Secretary, I shall retire if the House thinks it necessary for me to do so. But I wish, in the first place, to put the House in possession of the fact that a mistake exists as to the reference asked for by my hon. friend (Mr. Dubord.) I was attempting to make this explanation, when interrupted, and declared to be out of order. I have no intention to disturb the harmony of the House, and shall now withdraw.³⁰

MR. PROV. SEC. MORIN, I have no objection to the hon. gentleman's remaining in the House. I merely stated the practice on such occasions. I now move that the explanation given by Mr. Christie is satisfactory, and that it be accepted by the House.³¹

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On motion of the Honorable Mr. Morin, seconded by the Honorable Mr. Attorney General Drummond,

Resolved, That the explanation given by Mr. Christie be accepted by this House.

The motion was carried.³²

The petition was afterwards withdrawn.³³

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Ordered, That the Petition of Marcus Child, Esquire, and others; the Petition of Stephen S. Foster, Esquire, and others, of the County of Shefford; the Petition of the Toronto, Simcoe, and Huron Railroad Union Company; the Petition of George B. Hall and others; the Petition of Henry Rowed, Esquire, and others, of the Township of Seymour and its vicinity; and the Petition of J.B. Pepin, President, and others, Trustees of the Corporation of the Common of the Seigniorie of St. Antoine de La Baie,

be referred to the Standing Committee on Standing Orders.

Ordered, That the Petition of the Municipal Council of the United Counties of Peterborough and Victoria; the Petition of the Municipal Council of the United Counties of Essex and Lambton; the Petition of the Municipal Council of the County of Oxford; the Petition of the Municipal Council of the County of Kent; and the Petition of the Municipal Council of the United Counties of York, Ontario, and Peel, be referred to the Select Committee appointed to enquire into and report upon the best means of remedying the difficulties which have arisen in several Counties of Canada West from the informality of the By-Laws of the Municipal Councils imposing County rates.

The Honorable Mr. Chabot reported from the General Committee of Elections, That they had selected the following six Members to be the Chairmen's Panel, and to serve as Chairmen of Election Committees for the present Session:--François Lemieux, Esquire, George Etienne Cartier, Esquire, the Honorable William Badgley, Adam Johnson Fergusson, Esquire, Thomas C. Street, Esquire, Louis V. Sicotte, Esquire.

Ordered, That the Report do lie upon the Table.

The Honorable Mr. Chabot reported from the General Committee of Elections, That they had divided into three Panels the List of Members to serve on Election Committees.

Whereupon the Clerk decided by lot, at the Table, the order of the said Panels, and distinguished each of them by a number, denoting the order in which they were respectively drawn, as follows:--Panel C. No. 1; A. No. 2; and B. No. 3.

Ordered, That the said Panels be printed.

Mr. Cartier, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to amend the several Acts incorporating the Company of Proprietors of the Champlain and St. Lawrence Railroad, and for other purposes, and have agreed to certain amendments thereto, which they beg to submit for the consideration of Your Honorable House.

Ordered, That Mr. Dubord have leave to withdraw the Petition of Joseph Painchaud, M.D., Esquire, and others, of the City of Quebec.

Ordered, That Mr. Johnson have leave of absence for one week, on urgent business.

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The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 31st August, 1852, praying him to cause to be laid before this House, a List of persons appointed by His Excellency to be Inspectors of Elementary Schools in Lower Canada, in pursuance of the Act of the last Session of the last Parliament 14 & 15 Vic. cap. 97, shewing their profession or calling, their residence, and over what extent of the Province each Inspector was appointed, the remuneration awarded for each such Inspector, and whether such remuneration includes all expenses for travelling, &c., contingent to them, or whether they are to be further allowed for such expenses, and how much.

For the said Return, see Appendix (X.)

Ordered, That the said Return be printed for the use of the Members of this House.

Mr. Brown moved, seconded by Mr. Malloch, and the Question being proposed, That a Select Committee, composed of Mr. Christie of Wentworth, Mr. Burnham, Mr. Malloch, Mr. Sanborn, Mr. Wright of the East Riding of York, and the mover, be appointed, to which shall be referred the several Petitions on the subject of Sabbath labor in the Post Office Department and on the Canals, to report thereon with all convenient speed,

*by Bill or otherwise; with power to send for persons, papers, and records;*³⁴

MR. BROWN moved the appointment of a Committee, to which to refer the subject of Sunday labour in the Post Office, and on the Canals.³⁵

A discussion arose upon this motion, which lasted several hours.³⁶

MR. PROV. SEC. MORIN opposed the reference of the petition. The subject was not fit for the operation of a Committee. It was a general question, and the argument pro and con was well understood. At the same time without expressing any direct opinion on the general subject, he would say that Government probably would not object to a measure to meet to a certain extent the views of the petitioners on this subject. For example it might be found proper to give the right to localities to decide what should be done in their own neighbourhood, for, though it was clear that a great many petitions, all in one direction, had been presented on the subject, he did not think that public opinion was so unanimous as to justify general legislation. The hon. member for Kent might introduce a bill if he thought proper: that was the correct mode of procedure.³⁷

MR. ROBINSON thought the course taken by the hon. member for Kent was the one, and that the Committee should be granted. The feeling on this subject was strong in Upper Canada, and he for one desired to hear the report of a Committee of the House upon it.³⁸

MR. BROWN expressed great astonishment that the Government should interpose its influence in such a matter as this. He had pursued the course usually followed, and, as he thought, the one most likely to be acceptable to the House. He had a bill prepared, embodying his own views; but he found there were minor differences of opinion among the friends of the movement; and he desired the Committee for the purpose, by inquiry and consultation, of uniting all on the best measure that could be framed. The hon. Provincial Secretary said this was not a question fit for the inquiries of a Committee; but for his part he could fancy no subject to which the careful investigations of a Committee could be so usefully applied. They could inquire into the evils, moral and physical, of Sabbath labour in the public departments; they might inquire how far it could be dispensed with--how a change could be best brought about; and present to the House a condensed view of the argument in favour of the Reform demanded. In the British House of Commons³⁹ it was common ... to appoint⁴⁰ a similar Committee ... year after year: in the Legislative Council such Committees have frequently been appointed; and even in this House it had been done more than once. Why, then, do the Government offer this opposition now? Committees were granted any hour of the day on the most trifling questions, and to one of such vast importance, with a larger number of petitions to back it than any other subject, there is stone opposition--and that opposition is raised by the Government!⁴¹ Now there was plainly a large expression of public feeling which ought to be attended to, and he believed that the committee had been fairly selected from all shades of opinion.⁴² He could not think of withdrawing his motion, but would press it to a division: on the Ministry let the responsibility fall of its rejection.⁴³

MR. H. SMITH thought a Committee was the very best way of proceeding.⁴⁴ There were many petitions embracing different views⁴⁵. There were gentlemen on the Committee who, though favourable to the motion, held different views as to the length it might be expedient to go: and instead of Mr. Brown bringing in his own bill, it was very desirable that the general opinion should be harmonized.⁴⁶

MR. CAUCHON was very glad to find there was no desecration of the Sabbath in Lower Canada, at least in the seigniories, for he found there was not a man placed on the Committee from Lower Canada, except one from the Townships. He supposed this was because the hon. member knew there was no sabbath breaking there.⁴⁷

MR. BROWN had earnestly desired to have some French Canadian gentlemen on the Committee, and he had spoken to several on the subject; but, to speak frankly,⁴⁸ he had been so laughed at, in applying to one or two that he was quite discouraged.⁴⁹ His reception had been such, that he had not extended his inquiries to others, but he could only say that he would be delighted to include the names of Mr. Cauchon (Mr. Cauchon shook his head), and any other gentlemen who might be willing to act, in his motion.⁵⁰

MR. CAUCHON would not oppose the reference to the Committee; but he would certainly oppose the bill. He was speaking to a gentleman from Maine the other day about the liquor law, and the reply was, "oh, it does not prevent us drinking our champagne; but it is intended only to keep the poor from drinking too much whiskey." It would be the same thing he supposed here. The poor would not get their bitters and the rich would find some way to reach theirs.⁵¹

MR. J.A. MACDONALD thought discussion on the law premature at present, and wanted inquiry, in order to ascertain all the facts connected with it.⁵²

MR. ROSE was glad the canals were mentioned as well as the Post office, for he lived near a canal and knew the evils of the traffic. The law of God was superior to the law of man, and he knew no part of it which allowed of any man's desecration of the Lord's Day. He knew a lock-keeper, who had once preached the Gospel, and he was obliged either to neglect this privilege of divine service or to give up his post.⁵³

COL. PRINCE was opposed to the committee, and would vote against it. The world was very different now from what it was in the time of old Moses; for now Providence had blessed the world with a large amount of commerce and social intercourse which did not then prevail--there were no post-offices then; and could it be believed that all those advantages were to be given up, or that the Almighty would be offended, or that it was a greater offence to God to break up all these intellectual and social benefits which he had bestowed, rather than have one hour's labour performed on the Sunday? He thought not. In England the closing of the post-office on the Sunday had been tried and had singularly failed; so that Punch had drawn Lord John Russell and Lord Ashley, one of whom remarked to the other "Well, my Lord, between you and me and the post we have made a pretty mess of it." He did not think the Sabbath was desecrated by keeping open the Post-office and receiving letters on business, or social intercourse; but what he did consider desecration was the exhibition of ... [variety] in clothes, on the way to church, or the pomp of horses to carry their owners even to the door of the temple of God. He had, after saying his prayers, last Sunday, taken his quiet, tranquil walk and had admired the landscape; but he met there two men shooting, and two others fishing, and this he conceived to be a real desecration of the Sabbath. This was never seen in Upper Canada; but these persons were not Lower Canadians but Englishmen.⁵⁴

MR. GAMBLE, as we understood, did not regard the Sunday in a Levitical⁵⁵ [or] Sabbatarian point of view; but did not think it proper to read letters on business or pleasure nor to attend to such subjects on the Lord's Day. He wished to have the committee, in order that it might be seen, perhaps not how the present accomodation [sic] afforded by the Post Office might be stopped, but

how the work done there might be reduced to the smallest possible amount.⁵⁶

MR. AT. GEN. DRUMMOND explained to Mr. Brown that the Catholics of Lower Canada were not opposed to the due observance of the Sabbath, on the contrary, there was not a single priest who did not inculcate such observance on his people. At the same time he did believe there was a slight difference in the doctrinal views which prevailed in the two sections of the Province, inasmuch as the Catholics did not conceive there was anything wrong in quiet recreation, though they did object to necessary labour. For his own part he had no objection to the committee, if it were named by the House, instead of being named for a one sided purpose, and to the exclusion of a certain number of members of a particular race and creed.⁵⁷ As it was, the hon. member for Kent had carefully excluded from the Committee, Lower Canadians and Catholic members, and whatever might be his intention, the effect of that would be to procure a one-sided report, and to hold the Roman Catholics up before the country as desecrators of the Sabbath.⁵⁸ His own opinion, however, was that the Postal Department would be best reformed in this respect by Departmental action.⁵⁹

MR. BROWN was surprised⁶⁰ [and] astonished at the action of the Government on this question, and⁶¹ that the Government should persist in their opposition to so reasonable a request, and at the grounds on which it was based⁶², especially at the objection to his naming of the committee.⁶³ The Provincial Secretary first objected that any Committee on the subject was quite irregular, unsuitable to the occasion, and could not be granted. Now the Attorney-General says, the Committee is one-sided and there are no French Canadian Roman Catholics on it. It was hardly candid of the Attorney-General to make the latter objection, when he (Mr. Brown) had so distinctly invited them to join in the Committee. And as to the other objection--of course, the Committee was one-sided. Who ever heard of a Special Committee being moved for in the House that was not favourable to the object in view? It was done every day, and this was the first time any objection had been offered to it. The intention of appointing such Committees was that the promoters of any scheme might have an opportunity of proving to the House that they had a strong case in favour of what they demanded, and how could this be done if the Committee were hostile? Besides, the Committee was not to do anything--its only duty was to inquire and report.⁶⁴ It was desired by him of course to have a committee so far favorable to his views, as to secure the eliciting of all the facts. Why were the Government so opposed to facts? Was it because they were afraid of facts that would compel them before the country to grant this bill?⁶⁵ And necessary as a favourable Committee was in every ordinary case--how much more necessary was it in this.⁶⁶ He would if it were usual, however, consent to the House naming the committee.⁶⁷ He was free⁶⁸ here [to] make one observation, and that was that he thought⁶⁹ this⁷⁰ question ought to be treated with gravity⁷¹ [and ought] not to be approached with levity, and that to place gentlemen on a Committee who were not impressed with this feeling would be highly objectionable.⁷²

MR. TURCOTTE was decidedly opposed to this attempt to get a one-sided opinion from a partial committee. If the hon. member for Kent should get a committee appointed that day to declare [itself] in favour of the abolition of the Post-office labour--another day he would in the same way get a committee favourable to his bill for abolishing the fêtes of the Catholic Church in Lower Canada. He warned the House that if there was anything better calculated than another to overturn all the institutions of this country, and dissolve the Union, it was just the agitation of these religious questions, which seemed so much favoured by certain sections of Upper Canada.⁷³

Several members followed, speaking of the principle of Sabbath labour.⁷⁴

MR. SANBORN, after a few preliminary remarks, said he would like to ascertain what were the real views of the Government upon the question. The Provincial Secretary stated that the matter was one which should not be referred to a committee at all, while the Attorney-General East, said that he would have no objection to a committee named by the House. The Government should be united on such a question. It was admitted on all hands, that it was one of importance, and it was one on which there should be no difficulty in having it referred to a committee. Numerous and respectably signed petitions had been presented to the House on the subject, and they ought to be treated with respect. It did seem to him to be a singular fact, that the reference should be objected to by the Government. It is a question of importance--that cannot be denied; numerous petitions have been sent here by influential and respectable persons, both in Upper and Lower Canada, praying for a redress of the evil. For that reason, if for no other, the subject is deserving of serious consideration by the House.⁷⁵ The hon. member dilated upon the importance of the proper observance of the Sabbath or the Lord's day as it was termed, and he contended that it should be so observed by all the departments of the government.⁷⁶ Again, if all the members are not exactly of one opinion with reference to the observance of the Sabbath, certainly all come under the denomination of Christians. All belong to a nation calling itself Christian; and if those gentlemen who belong to a nation calling itself Christian; and if those gentlemen who belong to the Roman Catholic Church differ with those who are of the Protestant in respect to certain things which may be allowed or disallowed on the Sabbath, nevertheless, all will agree in the condemnation of Sabbath desecration. The only difference between them is a difference in degree. Where then can be the harm in permitting the reference of this question, which all admit to be a matter of importance, to a committee. The Provincial Secretary had said, in corroboration of the sentiments which he first enunciated, that there were no facts connected with this subject which would justify the reference. He (Mr. S.) would ask what subject that gentleman could bring before the House with which more facts are connected, of importance in themselves, and calculated to throw light on the question whether Post-office labour should or should not continue on the Sabbath? He apprehended that the sentiments even of those persons in the House and throughout the Province, who profess the Protestant faith, do not harmonize on this question. He apprehended that greater differences existed between these Protestants who advocated the cessation of labour and those of a different creed. The point, then, which it is desirable to establish is,--whether it is not possible to attain a community of sentiment on certain points which may be legislated on with advantage. All agree that everything of a nature to desecrate the Sabbath should be done away with, provided that the doing away with it would not conflict with the paramount interests of the public. That being granted, let the subject be placed in such a position that the facts may be brought to bear on it; in which everything that has a tendency to throw light on it may be brought forward in the manner usually adopted. What objection could there be to the reference, as proposed by the member for Kent? The objections raised, he apprehended, were not entitled to weight. It was said that the member for Kent had nominated a committee favourable to his views. He would ask if it was not the invariable practice with every member⁷⁷ in every case⁷⁸? Take the example afforded by the member for Huron. Did he nominate on the Committee on Temperance a majority opposed to the Maine Law? No matter what the subject may be, it has always been the practice for a member to nominate on the committee those who sympathize with him in opinion. The course taken by the member for Kent is perfectly in accordance

with the custom observed; and he hoped the Government would withdraw its objections, and permit the subject to be referred to a committee named by the hon. member for Kent.⁷⁹

MR. D. CHRISTIE (Wentworth) commenced by stating that he did not understand that the Provincial Secretary spoke for the Government in opposing the reference sought....⁸⁰ But, continued Mr. Christie, whether that impression was correct or not, I do not intend to vote for the reference. He would state the grounds on which he gave that vote. He did not wish to regard this question as involving any religious feeling whatever; and he wished it to be distinctly understood that, so far as he was concerned, he did not participate in any attempt to throw odium or stigma on the religious opinions of the inhabitants of Lower Canada. He could have no sympathy with any one who took such a course. He believed that every one had a right to hold his own religious opinions; and, if he had the power, he would not be the one to attempt the denial of that right to any person. He was, consequently, of opinion that the question before the House should be treated, not on religious grounds, but solely as one involving civic rights, and he would say that he denied the right of any Government to enforce the observance of the Sabbath as a moral duty. In his opinion, no legislature had the right to pass enactments on such a subject; as the observance of the Sabbath is a duty that we owe to the Supreme Being, and to Him alone, and no human authority has the power to come between an individual and his Creator. But while holding those views, he also believed that no legislature has the right to pass an Act which duly compel an individual to perform certain duties on the Sabbath, for the enjoyment of a seventh day, as a day of rest, is one of those natural rights to which every member of the community is entitled, and which ought to be respected. On these grounds he intended to vote for the reference, as he conceived they were the only clear and intelligible grounds which could be offered. The religious question could not be meddled with by the House. Members came here for the transaction of civic business, and they should confine themselves to that; if it appeared on the showing of any one then the civic and natural rights of a portion of the community are interfered with, then a Committee should be appointed to determine that point.⁸¹

MR. AT. GEN. DRUMMOND moved an amendment to the effect that⁸² the names of the Committee mentioned in the original motion be stricken out, and that the following words be inserted, "and that the Committee be appointed by the House." He wished to be distinctly understood as to his reasons for moving this amendment. He had not the slightest wish to intimate to the gentlemen named in the original motion, that he had any doubts respecting their perfect impartiality in dealing with the question; but he rose to make the motion, because unfortunately one important class of the representatives of the people had been studiously excluded from the Committee. It was not his intention to impute any improper motives to the member for Kent, in having so excluded them. No doubt he had a full and satisfactory reason for taking such a step. He would say that the House is not in possession of sufficient information to know to what extent departmental action can be taken as the subject of Post-Office labour on the Sabbath; to know whether the Executive Government can interfere in any way, and it would therefore be highly inexpedient for the House to legislate, and make compulsory enactments on the subject. Of course he was aware that the necessity of performing labour on the Sabbath is felt to be a great grievance by many of the employees in the public departments, especially in the Post-Office; he had doubts, however, whether the performance of those labours could be dispensed with. Many gentlemen shared his views, but he could assure the House that there was not

the slightest intention on the part of those members, or of any members from Lower Canada, to show a want of respect for the Sabbath. So far from their being actuated by any desire to burke the report, he felt convinced that they would apply themselves seriously and as industriously to the object that the hon. member for Kent has in view, though they may not, perhaps, go as far as that hon. gentleman. In order, then, that it should not go forth to the world that the members from Lower Canada cannot be interested with the consideration of that question, in order to prove that the House did not entertain that opinion, he made an appeal to the House not to place those gentlemen in a false position, not to refuse them a right to which they are entitled as Roman Catholics, and not to permit them to be held up to the world as desecrators of the Sabbath. He knew that that was not the intention of the member for Kent, but it would most certainly be the result of his motion.⁸³

MR. J.A. MACDONALD (Kingston) proposed to the member for Kent the adoption of the Attorney-General's suggestion. He would say, however, that the motion of the Attorney-General was extremely inconsistent with the opposition made by the Provincial Secretary⁸⁴, and contended that the government had saved itself from defeat by foregoing its own statements.⁸⁵ The truth of the matter was, and the Attorney-General knew it, and the whole House knew it, that the Government made a slight mistake in refusing the reference, and their object now was to get out of the difficulty. The Provincial Secretary first got up and said that the subject brought to the notice of the House by the member for Kent was a mere naked principle, which could neither be affirmed nor denied, and that it ought not to go to a Committee; but afterwards, when the Attorney-General found that the House was not likely to coincide in opinion with his colleague, he found it expedient to move this amendment and try to make it appear that an attempt was made to exclude the Roman Catholic members from the Committee. Now, he (Mr. M.) had a distinct recollection of hearing the member for Kent say that he would be only too happy if any of those gentlemen would join the Committee. There was no occasion, therefore, to treat him with the discourtesy of striking out the Committee which he had carefully selected, and then leaving the selection to the House. If it were a mere question of party politics he would admit that it would be perfectly right to appoint by the House; but this is a question not at all appertaining to politics, the finances, or the commerce of the country; but, simply, a subject which, from its bearing on individual rights, has excited a good deal of attention. It is not usual in such cases for the House to interfere with the election of the Committee, and in accordance with the parliamentary rule, the member for Kent was perfectly right in selecting those members who were favourable to his object. It was contrary to all the usual practice to put gentlemen opposed to any particular principle on the Committee, to act on that principle, because by that means any bill could be got rid of by a side-wind.⁸⁶

MR. AT. GEN. DRUMMOND's motion was then about to be put, when⁸⁷ some conversation ... [took place] upon a point of order respecting ... [his] amendment⁸⁸.

MR. J.S. MACDONALD the SPEAKER stated that he was of opinion that there was no necessity for the amendment of the Attorney-General East; the Committee, he held, must be appointed by the House whenever a member objects to the nomination made by another individual member. The latter part of the 87th rule states distinctly that a "mover may submit the names of the members to form the Committee." Under this rule, he conceived that no such amendment as that of the Attorney-General could be received, the objection to the nomination made by the hon. member for Kent being alone sufficient to render that nomination invalid. He should,

therefore, consider it his duty to strike out that part of the motion, on objection being made.⁸⁹

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And objections being made to the Committee being named by the mover; and Mr. Speaker having decided that any one Member objecting to the same was sufficient not to receive the Motion.

MR. MACKENZIE hoped that no objection would be made, or, if objection were made, that it would be withdrawn. It was clear that the Committee named by the member for Kent was favourable to the principle involved, and he could scarcely anticipate that the House would object to the nomination of that Committee. What danger could result from it? The Committee would merely investigate the question, and report all the arguments to be used in favour of it without committing the House in any way. If the opposite course were taken, if a majority of the House were opposed to a principle, and insisted on appointing the Committee, it is perfectly evident that the arguments in support of the adoption of that principle could never be presented to the House. In the present instance, persistence in such a course would be highly unjust to the petitioners to the House. Large numbers of the people of Upper Canada, including people of all religions, and some of no religion, have petitioned for the discontinuance of labour in all the public departments, and have given their response for the prayer. In his opinion, the member for Kent was right, and he hoped that the House would give him his Committee. The opposition to his motion arose, solely, as he understood it, from a desire to take the subject out of the hands of those who are favourable to it, and to put in the control of those who were opposed to it, for the purpose of preventing action. He would ask the member for Kent whether that was not his understanding also?⁹⁰

MR. BROWN.--Clearly so.⁹¹

MR. MACKENZIE said that, in that case, it would be unfair to the Hon. Member to take the nomination of the Committee out of his hands. For his own part, he had no doubt that the population of Lower Canada are as strict observers of the Sabbath, according to their own doctrines, as the Protestants, and if any of their members were on the Committee, that they would perform their duty as faithfully. Still he conceived that it would be but fair, and according to Parliamentary practice, to give the gentleman his Committee.⁹²

MR. AT. GEN. RICHARDS defended the course of his colleague. He understood the Member for Kent to say that he would press the motion as originally introduced, notwithstanding the strong protest made by the Attorney-General East against the omission of French Canadians from the Committee.⁹³

MR. BROWN said that the Attorney-General West stated his position very incorrectly. He had been asked by the Attorney-General East whether he had any objection to the nomination of some of the gentlemen from Lower Canada, and he had replied, Not at all, but he feared that they would be unfavourable to the principle. All he desired was that he should not have gentlemen nominated unfavourable to it.⁹⁴

MR. AT. GEN. RICHARDS understood the gentleman to persist in his motion as it stood, and did not understand him to express any wish to have additional members appointed on the Committee.⁹⁵

MR. BROWN.--On the contrary, I have said distinctly that I would be happy to obtain the assistance of hon. gentlemen of Canadian origin.⁹⁶

MR. AT. GEN. RICHARDS had heard that; but he thought that the gentleman subsequently declined to go so far, and adhered to his original motion. He conceived that it would be injudicious, and in fact, unfair to the gentlemen from Lower Canada to exclude them from the Committee.⁹⁷

MR. GAMBLE was of opinion that no single member could, by objection, render the nomination of the member for Kent nugatory. He thought the sense of the House should be tested on the question.⁹⁸

MR. BROWN said that, with all deference to the superior judgment of the Speaker, he could not agree with the interpretation put on the 87th rule by him. It is quite clear that the rule was framed in such a way as to secure the appointment of a favourable Committee, and that the objection to the nomination must be made not by a single member but by the House, and therefore the Speaker had no power to rule out any part of the motion on the objection of an individual.⁹⁹

MR. AT. GEN. DRUMMOND thought that the construction given by the Speaker was in accordance with the regular Parliamentary practice.¹⁰⁰

MR. BROWN considered the proposition to submit the matter in the House as tantamount to extinguishing the whole matter. (No, no.) It was not a very agreeable thing to refer to, but he could not help remarking from the general tone of conversation since the opening of the House,--he could not avoid the conclusion that a majority of the members were opposed to the object he had in view. (No, no!)¹⁰¹

A FRENCH MEMBER. We are unanimous (hear, hear).¹⁰²

MR. BROWN. That will be seen when a motion is made for the second reading. The object in striking out the Committee he had selected was to throw the matter into the hands of those who would not give it that serious consideration it deserves.¹⁰³

MR. D. CHRISTIE (Wentworth) did not agree with the hon. gentleman in the supposition that the objection was intended to get rid of the motion. As objection had been made to his Committee, he thought it would be ungracious to refuse to put gentlemen from Lower Canada on it.¹⁰⁴

MR. BROWN would agree to do so gladly. He had been anxious from the first to obtain the assistance of Roman Catholic gentlemen who would conscientiously carry out the principle of the rule, and he was confident that none of them would go on the Committee if they could not conscientiously support the principle¹⁰⁵ for which it was appointed.¹⁰⁶

MR. COM. PUB. WORKS CHABOT and MR. LAURIN, in French, commented with much severity upon the use of the word "conscientious."¹⁰⁷

MR. LAURIN remarked that Mr. Brown had not corroborated all that was said of him by the Upper Canadian journals, respecting his hostility to the Roman Catholics, and his readiness to shake hands with the d___l as soon as a Jesuit.¹⁰⁸ He regarded the Catholics with aversion, and the Jesuits with horror and affright.¹⁰⁹ The member for Kent, he said, appeared to claim all the credit for conscientious action for himself, and to refuse similar justice to the Roman Catholic members.¹¹⁰ The hon. member spoke with much warmth, which excited laughter.¹¹¹

MR. MACKENZIE appealed against the Speaker's decision; and on the appeal the vote was taken.¹¹²

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And an Appeal being made from Mr. Speaker's decision; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Burnham, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Dumoulin, Egan, Fortier, Fournier, Gouin, Jobin, Johnson, Lacoste, Langton, Laurin, Le-Boutillier, Lemieux, Marchildon, McDougall, McLachlin, Mongenais, Murney, Papineau, Polette, Poulin, Attorney General Richards, Rose, Stevenson, Tessier, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(40.)

NAYS.

Messieurs Badgley, Brown, Christie of GASPE, Dixon, Gamble, Hartman, McDonald of CORNWALL, Macdonald of KINGSTON, Mackenzie, Malloch, Mattice, Paige, Prince, Ridout, Robinson, Sanborn, Seymour, Shaw, Sicotte, Smith, of FRONTENAC, Street, Taché, Terrill, Willson, and Wright of West Riding of YORK.--(25.)

So the decision of Mr. Speaker was confirmed.

Resolved, That a Special Committee of seven Members be appointed, to which shall be referred the several Petitions on the subject of Sabbath labor in the Post Office Department and on the Canals, to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers, and records.

Ordered, That Mr. Brown, Mr. Malloch, Mr. Polette, the Honorable Mr. Chabot, Mr. Cartier, Mr. Sanborn, and Mr. Patrick, do compose the said Committee.

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Ordered, That Mr. Prince have leave to bring in a Bill to vest in certain Inhabitants of the Township of Moore, a Road allowance therein, and to establish a new Road in lieu thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Lemieux have leave to bring in a Bill to amend and explain the Ordinance concerning the registration of hypothecs in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

On motion of the Honorable Mr. Attorney General Drummond, seconded by the Honorable Mr. Morin,

Ordered, That the Orders of this House of yesterday, referring the Petitions of Joseph Aumond, Esquire, and others, of the County of Ottawa,--of Peter Aylen and others, of the District of Ottawa; and of A. Jeffry, Esquire, and others, of the Counties of Northumberland and Peterborough, to the Standing Committee on Railroads, Canals, and Telegraph Lines, be rescinded.

Ordered, That Mr. Egan have leave to bring in a Bill to amend the Act prohibiting the hunting and killing of Deer and other Game within this Province, at certain seasons of the year.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

*The Order of the day for the second reading of the Bill to exempt to the value of , the tools or implements of any householder's trade or calling, and the wearing apparel, the bedding, and other furniture required for the use of his family, from seizure and sale under execution for debt; and to prevent the property thus exempted from being assigned, pledged, or sold in liquidation of debts contracted for intoxicating drinks, being read;*¹¹³

MR. MACKENZIE moved the second¹¹⁴ reading of a bill to exempt tools or implements of any householder's trade or calling, and the wearing apparel, the bedding, and other furniture necessary for the use of his family, from seizure and sale under execution for debt; and to prevent the property thus exempted from being pledged or sold in liquidation of debts contracted for intoxicating drinks.¹¹⁵ The hon. member urged at length the importance of passing the bill, both from national considerations, and those of humanity.¹¹⁶ His object was to save the poor labouring man, or mechanic, from that depth of despair to which he is often reduced by the seizure of the implements of his calling--as intemperance, fraud, theft, and other degrading crimes and vices, often have their origin in that extreme poverty or description, which shuts out hope, begets despair, breaks up families, and increases pauperism; and it is the duty of a wise and paternal Government, while equitably and impartially enforcing the obligation of contracts, to keep ever in view that a want of sympathy with the people weakens any state in its hour of danger: and the limit beyond which it is oppressive, unjust, and at variance with all sound policy, to permit the decree of the Judge to be enforced against the personal property and effects of the debtor, is that which leaves in possession of the family such necessary wearing apparel, food, fuel, furniture, bedding, and tools or implements of trade or calling, the want of which would probably reduce the household to want and misery: and, as in cases where either the husband or the wife becomes habitually intemperate, it is manifestly unjust to permit all the furniture and effects of the family to be sold for debt, thus increasing the difficulties of the innocent party, and violating the Christian rule to do as one would be done by: and, as life and property become insecure, and the pillars upon which civilization and order rest are weakened, when a portion of the people become impoverished, demoralized and discontented, while looking for aid or forbearance in their day of adversity. He proposed that the legislature should now step in and prevent a repetition of those evils which have desolated so many families. He, therefore, proposed to exempt necessary household, table, and kitchen furniture, including stoves, stove pipes, stove furniture, wearing apparel, beds, bedding and bedsteads, provisions actually provided for family use, sufficient for six months, including meat, vegetables, fish, flour and meal, with fuel for sixty days, one cow, ten sheep, two swine, and food for them for three months: the horse, the harness, and cart, or other vehicle, by the use of which a physician, or constable, or cartman, or teamster, or other labourer habitually earns his living.¹¹⁷ A similar law to that which he proposed to pass had been long in operation in the United States, and had been found to work well.¹¹⁸

COL. PRINCE seconded the motion for the second reading. The details of the bill were such as he could not support but the principle was excellent and the introduction of the measure did credit to the humanity of the member for Haldimand.¹¹⁹ He hoped the bill would be read the second time, and referred to a select committee.¹²⁰

MR. AT. GEN. RICHARDS had no objection to the general principles of the bill,

but there was one important principle contained in it, upon which he had not made up his mind, namely, exempting tools, &c., from seizure for rent.¹²¹

MR. H. SMITH pointed out some injurious consequences that would result from the bill, and suggested that it be referred to a special committee, composed of members half from Upper Canada; and half from Lower Canada.¹²²

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The Bill was accordingly read a second time; and referred to a Select Committee, composed of Mr. Mackenzie, the Honorable Mr. Cameron, Mr. Sicotte, Mr. Hartman, Mr. Prince, Mr. Lemieux, and the Honorable Mr. Chabot.

The Order of the day for the second reading of the Bill to regulate the business of Stevedore in the Port of Quebec, being read;

Ordered, That the Bill be read a second time on Thursday the sixteenth instant.

The Order of the day for the second reading of the Bill to extend the provisions of an Act, intituled, "An Act for better securing the independence of the Legislative Assembly of this Province," being read;

Ordered, That the Bill be read a second time on Monday next.

The Order of the day for the second reading of the Bill to increase the Jurisdiction of the Division Courts of Upper Canada, being read;

Ordered, That the Bill be read a second time on Wednesday next.

The Order of the day for the second reading of the Bill to increase the Jurisdiction of the County Courts in Upper Canada, to amend the Acts regulating their practice, expediting and simplifying the proceedings of the said Courts, and for the settlement of disputes without litigation, being read;

Ordered, That the Bill be read a second time on Wednesday next.

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Ordered, That the remaining Orders of the day be postponed until To-morrow.

*Then, on motion of the Honorable Mr. Macdonald, seconded by Mr. Street,
The House adjourned.*

[QUESTION AND ANSWER RE: INTRODUCTION OF A BANKRUPTCY BILL.]¹²³

MR. BROWN rose according to notice, to inquire of the Administration if it was their intention to introduce¹²⁴ a general Bankrupt Law¹²⁵ during the present Session?¹²⁶

MR. AT. GEN. RICHARDS said it was not the intention of Government to do so.¹²⁷

MR. BROWN was sorry to hear it. Their predecessors had a bill under consideration, and it was much required.¹²⁸

[QUESTION AND ANSWER RE: ESTABLISHMENT OF A CIRCUIT COURT IN THE DISTRICT OF THREE RIVERS.]

MR. DUMOULIN demanda au ministère si le gouvernement avait intention de présenter durant cette session un bill pour amender l'acte de judicature actuellement en force dans le Bas-Canada, aux fins d'établir des cours de circuit dans le district des Trois-Rivières, et particulièrement dans le comté d'Yamaska, et aussi pour pourvoir au paiement ou rémunération des petits jurés dans les cours criminelles.¹²⁹

MR. AT. GEN. DRUMMOND répondit que le gouvernement avait intention d'établir une cour de circuit du côté sud, du fleuve dans le district des Trois-Rivières, que quant au paiement des petits jurés, le bill qui doit être présenté, relativement aux municipalités du Bas-Canada, contiendra des dispositions à ce sujet.¹³⁰

[WITHDRAWN MOTION RE: STATEMENT OF PROVINCIAL FINANCES.]¹³¹

MR. MERRITT moved an address for a Statement of the Provincial Revenue and Expenditure of the Province for 1850, 1851, and 1852; also, that a similar Statement be procured from each of the Provinces of New Brunswick, Nova Scotia, Newfoundland, and Prince Edward Island, with the amount of their Public Debt respectively at the close of the last year.

The hon. member stated in support of his motion that he was one of those who did not think, under the present system, the country could ever be so prosperous as it might be. It was, therefore, his desire to obtain such information as would next session enable him to come down and show the evils which arose from the present tariffs existing between the colonies, and to recommend, if that seemed advisable, a system which would have the effect of doing away with the barriers to commerce.¹³²

MR. AT. GEN. RICHARDS and MR. PROV. SEC. MORIN opposed the address, on the technical ground that the government had no right at all to demand the information required from the governments of the sister colonies and suggested that what was wanted might be got by a private application through the Provincial Secretary.¹³³

Motion withdrawn.¹³⁴

FOOTNOTES: 9 SEPTEMBER 1852.

1. The following papers noted the debate on this matter in identical accounts: BRITISH COLONIST, 10 September 1852, BRITISH WHIG, 10 September 1852, HAMILTON SPECTATOR DAILY, 10 September 1852, MONTREAL GAZETTE, 10 September 1852, GLOBE, 11 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BATHURST COURIER, 17 September 1852, and OTTAWA CITIZEN, 18 September 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 10 September 1852, MONTREAL GAZETTE, 13 September 1852, QUEBEC GAZETTE, 13 September 1852, HAMILTON SPECTATOR DAILY, 15 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN SEMI-WEEKLY, 21 September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN, 23 September 1852. The debate was also reported by: GLOBE, 16 September 1852; and LA MINERVE, 14 September 1852, which contained two separate accounts.
2. GLOBE, 16 September 1852.
3. HAMILTON GAZETTE, 20 September 1852.
4. MORNING CHRONICLE, 10 September 1852.
5. GLOBE, 16 September 1852.
6. IBID.
7. MORNING CHRONICLE, 10 September 1852.
8. GLOBE, 16 September 1852.
9. MORNING CHRONICLE, 10 September 1852.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. GLOBE, 16 September 1852.
17. MORNING CHRONICLE, 10 September 1852.
18. GLOBE, 16 September 1852.
19. MORNING CHRONICLE, 10 September 1852.
20. GLOBE, 16 September 1852.
21. MORNING CHRONICLE, 10 September 1852.
22. GLOBE, 16 September 1852.
23. IBID.
24. IBID.
25. MORNING CHRONICLE, 10 September 1852.
26. GLOBE, 16 September 1852.
27. MORNING CHRONICLE, 10 September 1852.
28. GLOBE, 16 September 1852.
29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. MORNING CHRONICLE, 10 September 1852.
34. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 10 September 1852, MONTREAL GAZETTE, 13 September 1852, QUEBEC GAZETTE, 13 September 1852, HAMILTON SPECTATOR DAILY, 15 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN

SEMI-WEEKLY, 21 September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN, 23 September 1852. The following papers reported the debate in partially identical accounts: GLOBE, 11 September 1852, HAMILTON SPECTATOR DAILY, 11 September 1852, MONTREAL GAZETTE, 11 September 1852, PILOT, 11 September 1852, BRITISH COLONIST, 14 September 1852, NORTH AMERICAN, 16 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BATHURST COURIER, 17 September 1852, and OTTAWA CITIZEN, 18 September 1852. The debate was also reported by: GLOBE, 16 September 1852, in two separate accounts, one of which contained commentaries on the debate; BRITISH COLONIST, 17 September 1852, in a separate account; and LA MINERVE, 11 September 1852.

35. GLOBE, 11 September 1852.
36. IBID.
37. IBID., 16 September 1852.
38. IBID.
39. IBID.
40. IBID., 11 September 1852.
41. IBID., 16 September 1852.
42. MORNING CHRONICLE, 10 September 1852.
43. GLOBE, 16 September 1852.
44. IBID.
45. MORNING CHRONICLE, 10 September 1852.
46. GLOBE, 16 September 1852.
47. MORNING CHRONICLE, 10 September 1852.
48. GLOBE, 16 September 1852.
49. MORNING CHRONICLE, 10 September 1852.
50. GLOBE, 16 September 1852.
51. MORNING CHRONICLE, 10 September 1852.
52. GLOBE, 16 September 1852.
53. MORNING CHRONICLE, 10 September 1852.
54. IBID.
55. GLOBE, 16 September 1852.
56. MORNING CHRONICLE, 10 September 1852.
57. IBID.
58. GLOBE, 11 September 1852.
59. MORNING CHRONICLE, 10 September 1852.
60. GLOBE, 16 September 1852.
61. MORNING CHRONICLE, 10 September 1852.
62. GLOBE, 16 September 1852.
63. MORNING CHRONICLE, 10 September 1852.
64. GLOBE, 16 September 1852.
65. MORNING CHRONICLE, 10 September 1852.
66. GLOBE, 16 September 1852.
67. MORNING CHRONICLE, 10 September 1852.
68. GLOBE, 16 September 1852.
69. MORNING CHRONICLE, 10 September 1852.
70. GLOBE, 16 September 1852.
71. MORNING CHRONICLE, 10 September 1852.
72. GLOBE, 16 September 1852.
73. IBID.
74. IBID., 11 September 1852.
75. IBID., 16 September 1852.
76. MORNING CHRONICLE, 10 September 1852.
77. GLOBE, 16 September 1852.

78. MORNING CHRONICLE, 10 September 1852.
79. GLOBE, 16 September 1852.
80. IBID., which contained the following commentary: "How he came to speak for the Government in opposition to the Provincial Secretary, the hon. gentleman did not explain."
81. GLOBE, 16 September 1852.
82. MORNING CHRONICLE, 10 September 1852.
83. GLOBE, 16 September 1852.
84. IBID.
85. MORNING CHRONICLE, 10 September 1852.
86. GLOBE, 16 September 1852.
87. IBID.
88. MORNING CHRONICLE, 10 September 1852.
89. GLOBE, 16 September 1852.
90. IBID.
91. IBID.
92. IBID.
93. IBID.
94. IBID.
95. IBID.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. IBID.
103. IBID.
104. IBID.
105. IBID.
106. MORNING CHRONICLE, 10 September 1852.
107. GLOBE, 16 September 1852.
108. IBID.
109. MORNING CHRONICLE, 10 September 1852.
110. GLOBE, 16 September 1852.
111. MORNING CHRONICLE, 10 September 1852.
112. GLOBE, 16 September 1852.
113. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 10 September 1852, MONTREAL GAZETTE, 13 September 1852, QUEBEC GAZETTE, 13 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN SEMI-WEEKLY, 21 September 1852, and NORTH AMERICAN, 23 September 1852. The following papers noted the debate in identical accounts: GLOBE, 11 September 1852, HAMILTON SPECTATOR DAILY, 11 September 1852, PILOT, 11 September 1852, MONTREAL GAZETTE, 11 September 1852, BRITISH COLONIST, 14 September 1852, NORTH AMERICAN, 16 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BATHURST COURIER, 17 September 1852, and OTTAWA CITIZEN, 18 September 1852. The debate was also reported by GLOBE, 16 September 1852, in two separate accounts, one of which contained the following commentary on Mr. Mackenzie's bill: "The principle of the bill is excellent, though its details are susceptible of amendment, which the committee upon it will doubtless suggest. The law is ever watchful for the protection of property, but far too indifferent to the protection of the poor and unfortunate. How much crime is engendered by poverty and the crushing effect in the energies of men of stripping them of the means of working for their daily bread and keeping a roof over the heads of their families! Mr. Mackenzie proposes to exempt from execution

property to the extent of £62 10s. Perhaps this is too much--but after all, if people have warning of the Act, and sell their goods under full knowledge that they must not look to the furniture and tools of their debtor for payment, it cannot be said to be unjust."

114. MORNING CHRONICLE, 10 September 1852. GLOBE, 16 September 1852, reported in error that Mr. Mackenzie moved the "first" reading of this Bill.
115. GLOBE, 16 September 1852.
116. MORNING CHRONICLE, 10 September 1852.
117. GLOBE, 16 September 1852.
118. MORNING CHRONICLE, 10 September 1852.
119. GLOBE, 16 September 1852.
120. MORNING CHRONICLE, 10 September 1852.
121. IBID.
122. IBID.
123. The following papers reported the debate on this question in identical accounts: MORNING CHRONICLE, 10 September 1852, MONTREAL GAZETTE, 13 September 1852, QUEBEC GAZETTE, 13 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN SEMI-WEEKLY, 21 September 1852, and NORTH AMERICAN, 23 September 1852. The debate was also reported by GLOBE, 16 September 1852, in two separate accounts, one of which contained a commentary.
124. GLOBE, 16 September 1852.
125. IBID., noted in error that this question concerned a "general Banking Law."
126. MORNING CHRONICLE, 10 September 1852.
127. GLOBE, 16 September 1852, which made the following comment on Mr. Richard's answer: "This is certainly to be regretted. In a commercial country it is absolutely necessary that there should be some mode of discharging the honest but unfortunate debtor, as well as a cheap, and expeditious mode of winding up bankrupt estates and making an equal division among creditors."
128. GLOBE, 16 September 1852.
129. LA MINERVE, 14 September 1852.
130. IBID.
131. The following papers reported the debate on this withdrawn motion in identical accounts: MORNING CHRONICLE, 10 September 1852, MONTREAL GAZETTE, 13 September 1852, QUEBEC GAZETTE, 13 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN SEMI-WEEKLY, 21 September 1852, and NORTH AMERICAN, 23 September 1852.
132. MORNING CHRONICLE, 10 September 1852.
133. IBID.
134. IBID.

FRIDAY, 10 SEPTEMBER 1852.

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MR. SPEAKER reported to the House, That the Recognizance to the Petition of Dunbar Ross, of the City of Quebec, Esquire, Advocate, complaining of an undue Election and Return for the County of Megantic, is unobjectionable.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Fortier,--The Petition of the Reverend O. Larue and others, of the Parish of Gentilly.

By Mr. Burnham,--The Petition of James Boyce and others, of the seventh Concession of the Township of Hamilton, County of Northumberland; and the Petition of Matthew Rosevear and others, of the Township of Hamilton, County of Northumberland.

By Mr. Christie of Wentworth,--The Petition of the Reverend William Fraser and others, the United Presbyterian Congregation of the Township of West Gwillimbury, County of Simcoe; the Petition of Michael Shafer and others, of the Township of Glanford, County of Wentworth; and the Petition of Mrs. Mary Wood and other Ladies, inhabitants of the Town of Dundas.

By Mr. White,--The Petition of the Reverend Philander Smith, Chairman, and the Reverend Samuel Morrison, Secretary, on behalf of the Ministers of Niagara Annual Conference of the Methodist Episcopal Church in Canada.

By the Honorable Mr. LaTerrière,--The Petition of André Cimon and others, of the Parish of Baie St. Paul, County of Saguenay; the Petition of L.T. Simard, Esquire, and others, of the Parish of Baie St. Paul, County of Saguenay; and the Petition of Ovide A. Clément, of the Parish of Baie St. Paul, County of Saguenay.

By the Honorable Mr. Papineau,--The Petition of Robert Kneeshaw and others, of St. Andrews, Canada East, Sons of Temperance and others; and the Petition of Robert Mason and others, Sons of Temperance, and others, of Lachute.

By the Honorable Mr. Young,--The Petition of the Honorable Charles D. Day and others, the Governors of the University of McGill College; and the Petition of the Trustees of the Montreal Cemetery Company.

By Mr. Brown,--The Petition of the Reverend William Reid and others, the Minister and Elders of the Presbyterian Congregation of Picton, County of Prince Edward; and the Petition of the Municipality of the Township of Dawn.

By the Honorable Mr. Robinson,--The Petition of the Reverend Joseph Gray and others, of the Township of Orillia, County of Simcoe; the Petition of Duncan McKinlay and others, of the Townships of Oro and Medonte; the Petition of the Municipal Council of the County of Simcoe; and the Petition of the Municipality of the United Townships of Tiny and Tay.

By Mr. Stuart,--The Petition of Thomas Bichell and others, Sons of Temperance, and others, of Quebec.

By Mr. McLachlin,--The Petition of Edward McGillivray, on behalf of the Inhabitants of the Town of Bytown and the surrounding country.

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By Mr. Wright of the East Riding of York,--The Petition of Milton Williams and others, Mill Owners on the Salmon River, Counties of Hastings and Lenox.

By Mr. Mattice,--The Petition of R.S. Macdonald, Esquire, and others, of the Township of Lancaster, County of Glengary.

By Mr. Willson,--The Petition of William Coyne and others, of the Town of St. Thomas and vicinity; and the Petition of John Benson and others, of the Township of Durwich.

By the Honorable Mr. Hincks,--The Petition of Hugh Allan, Esquire, Chairman

of the Convention of Delegates of the Board of Trade.

By Mr. Dubord,--The Petition of Joseph Painchaud, Esquire, M.D., and others, of the City of Quebec.

Pursuant to the Order of the day, the following Petitions were read:--

Of Elizabeth Segmullar and others, female inhabitants of the Town of Stratford, County of Perth; of John Kastner and others, male and female German inhabitants of the Township of Ellice, County of Perth; of Gordon Serviss and others, of the Township of Oxford; of Horace Hutchins and others, of the County of Grenville; of John Bayne and others, of Galt and vicinity; of John Ward and others, of the Township of Etobicoke; of John Watt and others, of the Townships of Nichol and Garafraxa; and of William H. Ellerbeck and others, of the Town of Brockville; praying for the passing of an Act to prohibit the sale and manufacture of intoxicating liquors except for medicinal and mechanical purposes.

Of William Chalk and others, of the United Counties of Huron, Perth, and Bruce; praying for the passing of an Act to authorize the extension of the Buffalo and Brantford line of Railroad to the Port of Goderich.

Of the Municipal Council of the United Counties of Leeds and Grenville; of the Municipality of the Township of Oxford; and of the Municipal Council of the United Counties of Lanark and Renfrew; praying that a loan of \$75,000, in Provincial Debentures, be granted to aid in the completion of the Bytown and Prescott Railway.

Of Robert McIntire and others, Censitaires, of the Parish of St. Zotique, County of Vaudreuil; praying the adoption of certain measures for defining the rights of Seigniors, and removing certain Seigniorial abuses.

Of J.W. Parent and others, of the Parish of St. Zotique, County of Vaudreuil; complaining that they have sustained loss by reason of the inundation of their lands caused by the Dam constructed at the head of the Beauharnois Canal, and praying indemnity therefor, and that a Pier be constructed to prevent the recurrence of a like damage.

Of the Reverend J. Tardif and others, of the Island of Orleans; praying aid for the construction of a Wharf at the end of the said Island.

Of the Reverend J.B. St. Germain, of the Parish of St. Laurent, County of Montreal; praying for aid to enable him to establish a School of Arts and Trades in connection with the Académie Industrielle already established in the said County of Montreal.

Of the Municipal Councils of the Town of Brantford, of the County of Brant, and of other places; praying for a special Act of Incorporation to authorize the Brantford and Buffalo Joint Stock Company to extend the said line of Railroad from Fort Erie to the Town of Goderich.

Of A.S. Gouin, Esquire, and others, of the County of Yamaska; praying for the establishment of a Circuit Court in the said County.

Of the School of Medicine and Surgery of Montreal; praying aid in behalf thereof.

Of Sister M.R. Coutlée, Superior, and others, Sisters of Charity in charge of the General Hospital in the City of Montreal; praying for aid in behalf thereof.

Of Francis Greighton and others, of the Township of Moore, County of Lambton;

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praying that the Petition of W.P. Vidal, Esquire, and others, for the closing of a certain Road allowance in the said Township, and granting the same to the owners of certain lots as a recompense for the more practicable Road granted by them through their said lots, may not be granted.

Of Samuel Andres and others, of the County of Chambly; praying an Act of Incorporation for the construction of a Railroad from opposite the City of Montreal, via Chambly and the outlet of Lake Memphramagog, to the Province Line.

Of Messieurs Allan Gilmour and Company, and others, Merchant, Ship-owners, and

others, of Quebec; praying that the Bill to regulate the business of Stevedore in the Port of Quebec, may not pass into law.

Of the President and Directors of the British Canadian School Society; praying aid in behalf thereof.

Resolved, That the Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton, be referred to a Select Committee, composed of the Honorable Mr. Cameron, Mr. Christie of Wentworth, Mr. Polette, Mr. Patrick, Mr. Taché, Mr. Rose, Mr. Chapais, and Mr. Wright of the East Riding of York, to examine the contents thereof, and to report thereon with all convenient speed, by Bill or otherwise; with power to send for persons, papers and records.

Ordered, That the Petition of James Turnbull, Junior, and others, of the Town of Prescott, and the Petition of Gordon Serviss and others, of the Township of Oxford, be referred to the said Committee.

Ordered, That the Petition of the Municipal Councils of the Town of Brantford, of the County of Brant, and of other places,--and the Petition of William Chalk and others, of the United Counties of Huron, Perth, and Bruce, be referred to the Standing Committee on Standing Orders.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Seventh Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition of the Municipality of the Township of Nelson, and find the Notice sufficient.

The Petition of the Reverend T.H. Prévost and others, for the incorporation of "La Congrégation des Hommes de Ville-Marie," of Montreal, is not of such a nature as to require the publication of Notice.

With respect to the Petition of François Boucher and others, for an Act to authorize a partition of the Common of Maskinongé, it appears that Notice has been published in the Canada Gazette only, and in no local paper; but a Petition having been presented to Your Honorable House, from H. Bruneau and others, in opposition to the application, Your Committee would respectfully submit, that the object and intention of the 64th Rule has been sufficiently answered.

The Petition of J.B. Pepin and others, Trustees of the Corporation of the Common of the Seigniorship of St. Antoine de La Baie, prays for an Act to define the rights of property in the said Common, and to authorize the concession of certain portions of the Common for the better government thereof; Your Committee find, that no Notice of the application has been given. It has been represented to them, however, by the Member in charge of the Petition, that the Petitioners are prepared to abandon that as that is the only portion which, in their opinion, comes under the provisions of the 64th Rule, they would beg to recommend that the Petitioners be allowed to proceed upon the remaining part of their Petition.

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Mr. Prince, from the Select Committee to which was referred the Petition of William B. Wells, Esquire, and others, Justices of the Peace in and for the County of Kent, in Court of General Quarter Sessions assembled, presented to the House the Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petition referred to them, and have given their attentive consideration to the prayer thereof; they find that by the Act 4 & 5 Vic. cap 12, it is required that the Quarterly Returns of Convictions by Justices of the Peace shall be published in the local newspapers, and also that copies of such Returns shall be transmitted to the Inspector General, and shall also be posted up in the Court House and in the Office of the Clerk of the Peace for each County.

Your Committee also find, that by the Act 6 Will. 4, cap. 5, it is required

that the Quarterly Returns of Licenses issued shall also be published in the newspapers. With a view of removing any unnecessary burden upon the finances of the various Municipalities, Your Committee would beg leave to suggest, that such an alteration be made in the law with respect to both these Returns as to leave it in the power of the different Municipal Councils to publish them in the newspapers, or not, at their discretion.

Mr. Cartier, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Second Report of the said Committee; which was read as followeth:--

Your Committee have examined the Bill to authorize the Montreal and New York Railroad Company to extend their Railroad, and to acquire the land necessary for such extension, and for other purposes relative to the said Company; and have agreed to certain amendments thereto, which they beg to submit for the consideration of Your Honorable House.

Ordered, That the Bill and Report be committed to a Committee of the whole House, for Monday next.

Ordered, That the Appendix to the Report of the Post Office Department for the year ending 5th April, 1852, which was presented on the 7th instant, be printed for the use of the Members of this House, with exception of the Book of Instructions to Post Masters.

On Motion of Mr. Polette, seconded by Mr. Turcotte,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, copies of Instructions given by the Government to Oliver Wells, Esquire, Surveyor, to explore the Lands situated on the River St. Maurice and its tributaries, of his Notes of such exploration, and also the Report and the Map drawn by the said Oliver Wells in pursuance of the said Instructions, as also of all papers and documents relating to the steps taken by the Government to open the territory on the St. Maurice to the Timber Trade.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed a Bill, intituled, "An Act to legalize and continue the Municipal Corporation of the Township of Torbolton," to which they desire the concurrence of this House.

And then he withdrew.

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A Bill from the Legislative Council, "An Act to legalize and continue the Municipal Corporation of the Township of Torbolton," was read for the first time.

On motion of Mr. Malloch, seconded by the Honorable Mr. Robinson,

Ordered, That the Bill be read a second time on Monday next.

Ordered, That the Bill to supply an omission in Schedule B to the Act to amend the Upper Canada Municipal Corporations Law Amendment Act of 1850, be read the third time on Monday next.

Ordered, That Mr. Stuart have leave to bring in a Bill extending to persons charging or charged with Criminal Offences, the right of being assisted by Counsel.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Resolved, That the Petition of Hector L. Langevin, of the City of Quebec, Esquire, Advocate, praying for the repeal of so much of the 2nd Section of the Act of Lower Canada 41 Geo. 3 cap. 7, as prevents parties in Upper Canada from prosecuting any action, opposition, or suit before the Courts of Civil Jurisdiction in Lower Canada, without giving security for the costs thereof, be referred to a Select Committee, composed of Mr. Cauchon, Mr. Polette, the Honorable Mr. Chabot, the Honorable Mr. Badgley, and Mr. Taché, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

The Order of the day for the second reading of the Bill to remove doubts as to the powers of the Junior Judges of County Courts in Upper Canada, being read; The Bill was accordingly read a second time; and committed to a Committee of the whole House, for Tuesday next.

The House, according to Order, resolved itself into a Committee on the Bill to repeal the Acts therein mentioned, and to improve the Law of Evidence in Upper Canada.

MR. BROWN asked the Attorney-General Canada West to postpone any further action until the amendments were printed. He understood that it proposed to make very material alterations in the existing law; and before that was consummated it would be desirable to obtain information from that section of the Province on the subject.¹

MR. AT. GEN. RICHARDS had no objection to the postponement, but he would inform the member for Kent that the object of the bill is to explain the existing law according to the intentions of the framers. The law was intended to permit a party in a suit to put his opponent in a witness-box, and examine him on oath, but the judges have interpreted it in such a manner as to enable a litigant to give evidence in his own favour. It was for the purpose of correcting this deviation from the original intention of the framers of the law, that he had introduced the present bill.²

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Rose reported, That the Committee had gone through the Bill, and made amendments thereunto.

Ordered, That the Report be received on Monday next.

The Order of the day for the second reading of the Bill to authorize the appointment of Assistant Judges of the Superior Court for Lower Canada in certain cases, being read;

The Honorable Mr. Attorney General Drummond moved, seconded by Mr. Solicitor General Chauveau, and the Question being proposed, That the Bill be now read a second time;³

MR. AT. GEN. DRUMMOND moved the second reading of the bill to authorize the appointment of assistant judges of the superior Courts in Canada East.⁴ [Il] expliqua que cette mesure était proposée pour remédier aux inconvénients résultant actuellement, pour le district de St. François, de la maladie de son principal juge, le juge Gardner. Depuis trois mois, l'administration de la justice avait été complètement arrêtée, dans ce district par la maladie du juge. Les juges voisins étaient trop constamment occupés pour pouvoir le remplacer temporairement: de sorte que le gouvernement n'avait vu d'autre remède à ce mal que dans la nomination de Juges-assistans.⁵

MR. STUART, one of the members for Quebec, took exception to the bill, on the ground of its extending⁶ greatly ... the patronage of the Crown, and also by allowing the Crown to fix the emoluments gave a further dangerous influence. He thought there were enough judges in Lower Canada.⁷ He moreover contended,

that the executive could, under the existing law, require one of the other judges of Lower Canada, to perform the duties of a judge who was ill.⁸ There were four judges of the Superior Courts in Quebec, and four in Montreal, besides one in Three Rivers and one in Quebec. There were also nine judges of the circuit Court, in all nineteen judges many of whom he knew had not enough to employ themselves. There was for example the judge at Three Rivers, who had nearly nothing to do--who tried he believed about four causes [sic] in the year, one of these judges might take the duty at Three Rivers.⁹

Several members from Upper Canada strongly opposed the bill.¹⁰

MR. MERRITT was glad to hear a gentleman from Lower Canada speak in the manner Mr. Stuart had done; and he compared the number and cost of the judges in Lower Canada with the much smaller number in Upper Canada, to show still stronger reason against an increase of the Lower Canadian judicial establishment.¹¹

MR. BADGLEY expressed his perfect concurrence in the sentiments of Mr. Stuart, and thought in case of the illness of one judge, his place might be easily filled by one of the others.¹²

DR. LATERRIERE also declared himself against a farther increase in the judicial establishments of the country.¹³

MR. CHABOT, on the other hand, contended that it was impossible for the judges to be taken from their present districts, without injury to the due administration of justice.¹⁴ [Il] maintint qu'il n'y en avait pas assez: qu'à Québec même, l'administration de la justice était souvent entravée par le défaut de juges: actuellement, deux des juges de la Cour Supérieure sont malades, de sorte que si les deux juges qui siègent diffèrent d'opinion sur une question, la contestation ne peut être décidée.¹⁵ He also expressed an opinion that the proper way to present the evils complained of was to have local resident judges who should act [as] judges of première instance with a Court of Appeal.¹⁶

MR. DUMOULIN conceived also that it was not possible to take a better course in the present case, than that which was proposed.¹⁷ [Il] dit que les affaires du district des Trois Rivières suffisaient pour occuper le juge résident: que puisqu'on ne suggérerait aucun remède à l'état de choses existant dans le district de St. François¹⁸ he would therefore vote for the bill.¹⁹

MR. CAUCHON would do the same thing, if the salary of the assistant Judges were fixed.²⁰

MR. CHRISTIE ... [fît] une très-forte opposition à cette mesure²¹.

MR. MACKENZIE spoke at some length against an increase of the salaries of Judges²². In his usual free manner, [he] did not spare either the government or the judges, and imputed corrupt motives to the former, while he characterized the later as lazy drones.²³

MR. SANBORN ... contended that the large tract of country contained in the district of St. Francis ought not to be left without the means of securing the distribution of justice, and he reminded the House that if the judge were taken from Three Rivers to Sherbrooke, to supply the want at Sherbrooke, Three Rivers would be left without a Judge, who was often required for writs of certiorari &c.²⁴ [Il] corrobora les faits mentionnés par M. Drummond.²⁵

A long conversation [ensued].²⁶

MR. TESSIER, nouveau membre pour Portneuf, se leva et prononça un discours violent non contre la mesure en particulier [sic], mais contre l'administration de la justice en général, les dépenses du système actuel, le trop grand nombre

de juges, et aussi contre le patronage ministériel, &c.²⁷

MR. GAMBLE ... [allait faire] motion que le bill ne fut pas lu pour la seconde fois, mais fut renvoyé à six mois....²⁸

Comme il [M. Gamble] se préparait cependant à aller porter sa motion, ses voisins amis le retinrent par son habit, lui faisant remarquer sa démarche imprudente²⁹.

MR. GAMBLE resta ainsi suspendu pendant quelques minutes, dans une position très-inquiétante et se décida enfin à aller porter sa motion à l'Orateur au milieu des éclats de rire de la Chambre. Cet amendement fut mis aux voix.³⁰

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Mr. Gamble moved in amendment to the Question, seconded by Mr. Boulton, That the word "now" be left out, and the words "this day six months" added at the end thereof;

And a Debate arising thereupon;

MR. BADGLEY se leva pour donner son opinion³¹.

MR. AT. GEN. DRUMMOND replied to all this in a very excited manner.... He said he was surprised at the sentiments which had been uttered by the member for Quebec and Montreal (Stuart and Badgley) but not at anything that fell from the hon. member for Haldimand, (Mr. Mackenzie). He proceeded to say in effect, that it was that hon. member's vocation to find fault with everything, and likening him to a noisome reptile, he said he left his slime upon every thing over which he crawled. In the course of his speech he struck his desk several times very hard with his hands; protested the purity of the intentions of the Government; and said, he for one, would at once resign if he had not the confidence of his friends on such a question. He defended the judges, and shewed that their hands were full already.³²

MR. PROV. SEC. MORIN lectured the house, and had not concluded his speech when³³--

MR. R. CHRISTIE (de Gaspé) proposa immédiatement l'ajournement.³⁴

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On motion of Mr. Christie of Gaspé, seconded by Mr. Malloch, Ordered, That the Debate be adjourned until Monday next.

Ordered, That the remaining Orders of the day be postponed until Monday next.

Then, on motion of the Honorable Mr. Attorney General Richards, seconded by the Honorable Mr. Cameron,
The House adjourned until Monday next.

APPENDIX: 10 SEPTEMBER 1852.

[NOTICE OF MOTION RE: POSTAL RATES.]

MR. BROWN gave notice that he will, on the 20th instant, move the House into Committee of the Whole, to consider the expediency of reducing the rate of postage from three-pence to one penny.³⁵

[QUESTION AND ANSWER RE: ROAD ALLOWANCE FOR FRONTENAC COUNTY.]³⁶

MR. H. SMITH (Frontenac), enquired whether it was the intention of the Ministry to appropriate a sum of money towards opening a road from the settled parts of the county of Frontenac to the large tract of country³⁷ to the North³⁸ now under license to different lumber merchants on the Ottawa River and its tributaries.³⁹

MR. INSP. GEN. HINCKS, in reply, said that [it] is the intention of the Government to ask for an appropriation to open up roads between the Ottawa and the Saint Lawrence, but it was not in his power to state any thing definitely with respect to the particular subject of enquiry.⁴⁰

FOOTNOTES: 10 SEPTEMBER 1852.

1. GLOBE, 18 September 1852.
2. IBID.
3. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 11 September 1852, QUEBEC GAZETTE, 13 September 1852, PILOT, 14 September 1852, MONTREAL GAZETTE, 14 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN, 21 September 1852, and NIAGARA MAIL, 22 September 1852. The debate was also reported by: BRITISH COLONIST, 17 September 1852 (in a separate account); GLOBE, 18 September 1852; and LA MINERVE, 14 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 13 September 1852, PILOT, 13 September 1852, GLOBE, 14 September 1852, BRITISH COLONIST, 14 September 1852, and BATHURST COURIER, 17 September 1852. The following papers noted the debate in partially identical accounts: PILOT, 11 September 1852, HAMILTON SPECTATOR DAILY, 11 September 1852, MONTREAL GAZETTE, 11 September 1852, GLOBE, 11 September 1852 (which misdated its account as 9 September 1852), BRITISH COLONIST, 14 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, NORTH AMERICAN WEEKLY, 16 September 1852, BATHURST COURIER, 17 September 1852, OTTAWA CITIZEN, 18 September 1852, and NIAGARA MAIL, 22 September 1852 (in a separate account).
4. BRITISH COLONIST, 17 September 1852.
5. LA MINERVE, 14 September 1852.
6. BRITISH COLONIST, 17 September 1852.
7. MORNING CHRONICLE, 11 September 1852.
8. BRITISH COLONIST, 17 September 1852.
9. MORNING CHRONICLE, 11 September 1852.
10. BRITISH COLONIST, 17 September 1852.
11. MORNING CHRONICLE, 11 September 1852.
12. IBID.
13. IBID.
14. IBID.
15. LA MINERVE, 14 September 1852.
16. MORNING CHRONICLE, 11 September 1852.
17. IBID.
18. LA MINERVE, 14 September 1852.
19. MORNING CHRONICLE, 11 September 1852.
20. QUEBEC GAZETTE, 13 September 1852.
21. LA MINERVE, 14 September 1852.
22. MORNING CHRONICLE, 11 September 1852.
23. BRITISH COLONIST, 17 September 1852.
24. MORNING CHRONICLE, 11 September 1852.
25. LA MINERVE, 14 September 1852.
26. MORNING CHRONICLE, 11 September 1852.
27. LA MINERVE, 14 September 1852, which contained the following commentary: "M. Tessier déclame bien: il a une élocution facile, mais son début ne parle pas en faveur de son tact, et lui a fait un grand tort dans l'esprit de ses collègues Canadiens. S'il avait fallu voter immédiatement sur la question, il se serait probablement trouvé le seul Canadien (avec peut-être M. Laterrière) à voter avec l'opposition ordinaire. Cette opposition en bondissait de joie."
28. LA MINERVE, 14 September 1852.
29. IBID.

30. IBID.
31. IBID.
32. BRITISH COLONIST, 17 September 1852, which added that "in truth ... [Mr. Drummond's] excitement nearly choked him."
33. BRITISH COLONIST, 17 September 1852.
34. LA MINERVE, 14 September 1852.
35. GLOBE, 18 September 1852.
36. The following papers reported the exchange on this question in identical accounts: MORNING CHRONICLE, 11 September 1852, QUEBEC GAZETTE, 13 September 1852, PILOT, 14 September 1852, MONTREAL GAZETTE, 14 September 1852, HAMILTON GAZETTE, 20 September 1852, NORTH AMERICAN, 21 September 1852, NIAGARA MAIL, 22 September 1852, and NORTH AMERICAN WEEKLY, 23 September 1852. The following papers reported the exchange in partially identical accounts: PILOT, 11 September 1852, HAMILTON SPECTATOR DAILY, 11 September 1852, MONTREAL GAZETTE, 11 September 1852, GLOBE, 11 September 1852 (which misdated its account as 9 September 1852), BRITISH COLONIST, 14 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, NORTH AMERICAN WEEKLY, 16 September 1852, BATHURST COURIER, 17 September 1852, OTTAWA CITIZEN, 18 September 1852, NIAGARA MAIL, 22 September 1852, and LA MINERVE, 11 September 1852. The exchange was also noted by GLOBE, 18 September 1852.
37. GLOBE, 18 September 1852.
38. BRITISH COLONIST, 14 September 1852.
39. GLOBE, 18 September 1852.
40. IBID.

MONDAY, 13 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Statements of the Affairs of the Canadian Branches of the Bank of British North America to the 31st August, 1852,--and of the Canada Life Assurance Company, to 30th April, 1852.

For the said Statements, see Appendix (R.)

And also, Statement of the Affairs of the Toronto Hospital, to 1st September, 1852.

For the said Statement, see Appendix (Y.)

Ordered, That Mr. Prince have leave of absence for one month from Thursday next, on urgent private business.

The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of the Reverend S.S. Strong and others, of the Town of Bytown.

By Mr. Stevenson,--The Petition of the Reverend William Reid, the Minister, and others, the Elders of the Presbyterian Congregation of Picton.

By the Honorable Mr. Cameron,--The Petition of Herbert Simmonds and others, of the Town of London and surrounding country; and the Petition of J. Cuppage and others, of the Township of Orillia, County of Simcoe.

By Mr. Wright of the West Riding of York,--The Petition of George Wright, Esquire, Chairman, and P. McPhail, Secretary, on behalf of a Public Meeting of the Inhabitants of the County of Peel.

By the Honorable Mr. Merritt,--The Petition of James A. Davidson and others, of the Township of Grantham, County of Lincoln; the Petition of Sylvester Carroll and others, of the Township of Grantham, County of Lincoln; the Petition of Charles Donaldson and others, of the Township of Grantham, County of Lincoln; the Petition of Angus Cook and others, of the Township of Grantham, County of Lincoln; and the Petition of W.H. Ward and others, of the Township of Grantham, County of Lincoln.

By Mr. Stuart,--The Petition of Félix Lavoie and others, of the Parish of St. Roch, Quebec.

By Mr. Prince,--The Petition of Denis Collins and others, of the Township of Maidstone, and Amherstburg, County of Essex.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Reverend Frederick Mack and others, of Amherstburg and its vicinity; of the Reverend William Fraser and others, the United Presbyterian Congregation of the Township of West Gwillimbury, County of Simcoe; of the Reverend Philander Smith, Chairman, and the Reverend Samuel Morrison, Secretary, on behalf of the Ministers of the Niagara Conference of the Methodist Episcopal Church in Canada; of the Reverend Joseph Gray and others, of the Township of Orillia, County of Simcoe; of Duncan McKinlay and others, of the Townships of Oro and Medonte, County of Simcoe; of the Reverend Robert Rogers and others, the Congregation of St. James' Church in the City of Kingston; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of Alexander M. Delisle, and William H. Brehaut, Esquires, Clerk of the Peace for the District of Montreal; praying to be indemnified for the loss they have sustained

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by the reduction of their Salaries under certain Acts therein mentioned, and that the said Salaries be placed on a permanent footing.

Of the Municipal Council of the Municipality of Sherbrooke; praying that the present Municipal system may be continued, and that the Councils be invested with additional powers for licensing the sale of Spiritous Liquors, and for assessing certain Lands.

Of the Council of Bishop's College at Lennoxville; praying aid in behalf of the said College.

Of the Brantford and Buffalo Joint Stock Railroad Company; praying for an Act of Incorporation to enable them to carry on and complete the said Railroad from Fort Erie to the Paris Depot of the Great Western Railroad, and thence to the Town of Goderich.

Of George Rolph, Esquire, of the Town of Dundas; praying that the Act to incorporate the Great Western Railroad may be so amended as to secure him in his rights of property, and to compel the said Company to pay costs in certain cases.

Of George Jackson and others, of Bentinck and other Townships; of the Reverend Thomas Dickson and others, of the Township of Caledonia, County of Peel; of H.P. Holmes and others, of the Township of Yonge; of Michael Shafer and others, of the Township of Glanford, County of Wentworth; of Mrs. Mary Wood and other Ladies, inhabitants of the Town of Dundas; of Robert Kneeshaw and others, of St. Andrews, Canada East, Sons of Temperance, and others; of Robert Mason and others, Sons of Temperance, and others, of Lachute; of the Reverend William Reid and others, the Minister and Elders of the Presbyterian Congregation of Picton, County of Prince Edward; of Thomas Bickell and others, Sons of Temperance, and others, of Quebec; of Edward McGillivray, on behalf of the Inhabitants of the Town of Bytown and the surrounding country; of R.S. Macdonald, Esquire, and others, of the Township of Lancaster, County of Glengary; of William Coyne and others, of the Town of St. Thomas and vicinity; and of John Benson and others, of the Township of Dunwich; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of Joseph Fugère and others, of the Parish of St. Stanislas, County of Champlain; praying aid to open a Road from the said Parish to Lake Cossette, and to construct a Bridge over the River Batiscan, in the said Parish.

Of John Gilleland and others, of the County of Lincoln; praying for the removal of certain obstructions in the navigation of the River St. Lawrence, and the construction of a Canal to connect the waters of the said River with those of Lake Champlain.

Of William Pringle, Junior, and others, of the Township of Markham and places adjacent, United Counties of York, Ontario, and Peel; praying that the Common School Law may be repealed.

Of the Municipality of the Township of Crowland; praying that the Agricultural Act may be so amended as to reduce the amount to be raised by Township Societies, to enable them to receive their proportion of the grant for Agricultural purposes, and also to exempt the Township wherein the County Show is held, from forfeiting its share of the grant for the year in which such Show is held as aforesaid.

Of William Price, Esquire, and others, interested in the Trade and Navigation of the River St. Lawrence; praying aid to enable the Commissioners of Public Works to construct a Public Wharf at old Bic Harbour.

Of Edmund Boyle, of the City of Kingston; complaining that his Tender for furnishing the Rations required for the use of the Convicts confined in the Provincial Penitentiary, although the lowest, was not accepted, and that loss thereby results to him and the country, and praying relief in the premises.

Of P.A.R. de Bellefeuille and others, late Officers of the Municipal District of

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Three Rivers; praying for the payment of accounts due them by the late Municipal Council of the said District.

Of F.X. Garneau, Esquire, and others, Officers of L'Institut Canadien de Québec; praying for aid in behalf of the said Institution.

Of the Municipal Council of the County of Quebec, and of the Inhabitants of the Parish of Charlesbourg and other places; praying aid to macadamize the Ste. Claire Road in the said Parish and the Parish of St. Roch of Quebec.

Of Alfred Digby, Surgeon, and others, Chiefs and Warriors of the Six Nations of Indians residing on the Grand River; praying that the Petition of certain Inhabitants of the County of Brant for the amendment or repeal of the Act 13 & 14 Vic. cap. 74,

for protecting the Indians in Upper Canada from imposition, and their lands from trespass or injury, may not be granted.

Of the Reverend O. Larue and others, of the Parish of Gentilly; praying aid to improve the Road leading from the said Parish to the River Bécancour, in the Township of Blandford.

Of James Boyce and others, of the seventh Concession of the Township of Hamilton, County of Northumberland; praying for the passing of an Act to authorize the Municipality of the said Township to appoint Surveyors to settle the boundaries between the sixth and seventh Concessions of the said Township.

Of Matthew Rosevear and others, of the Township of Hamilton, County of Northumberland; praying that the division line between the sixth and seventh Concessions of the said Township, as surveyed by J. K. Roche, Esquire, may remain as the established and proper line.

Of André Cimon and others, of the Parish of Baie St. Paul, County of Saguenay; praying aid for the construction of a Wharf or Landing-place at Baie St. Paul.

Of L.T. Simard, Esquire, and others, of the Parish of Baie St. Paul, County of Saguenay; praying aid for the construction of a Bridge over the Rivière du Gouffre.

Of Ovide A. Clement, of the Parish of Baie St. Paul, County of Saguenay; praying payment of a certain amount for his services in taking the last Census in certain Parishes of the said County.

Of the Honorable Charles D. Day and others, the Governors of the University of McGill College; praying that the Bill to amend the Law relative to the practice of Physic, Surgery and Midwifery in Lower Canada, may not pass into Law.

Of the Trustees of the Montreal Cemetery Company; praying certain amendments to their Act of Incorporation, and that the name of the said Company be changed to the Mount Royal Cemetery Company.

Of the Municipality of the Township of Dawn; praying that the Clergy Reserves may be appropriated to Common School purposes, and the Rectories abolished.

Of the Municipal Council of the County of Simcoe,--and of the Municipality of the United Townships of Tiny and Tay; praying for the passing of an Act to incorporate a Company under the name of the St. Lawrence and Lake Huron Railroad Company.

Of Milton Williams and others, Mill Owners on the Salmon River, Counties of Hastings and Lenox; praying that the Act 12 Vic. cap. 30, for the sale and better management of timber on the public lands, may be so amended as to enable a greater number of persons to participate in the provisions thereof.

Of Hugh Allan, Esquire, Chairman of the Convention of Delegates of the Boards of Trade; praying that the Tariff of Customs Duties may be so amended as to encourage the trade of the Gulf and River St. Lawrence, and to protect manufacturing and other interests; that Reciprocity and a coasting trade be obtained, and the St. Lawrence opened to the United States; that specific Duties only be imposed on certain articles; that Ship-building be encouraged,--the Usury Laws repealed,--the Assessment Laws

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amended,--and a general Bankrupt Law passed; that a stop be put to closing the Custom House, Montreal, on Fêtes d'Obligation; that Notes and Drafts falling due on Fêtes d'Obligation may be payable on those days; that the tax on Auction Sales be repealed; that deposits for Customs Duties be made at the different Banks; and that measures be adopted to retaliate on the United States for the refusal of Reciprocity, by imposing a high scale of Duties on their manufactures.

Of Joseph Painchaud, Esquire, M.D., and others, of the City of Quebec; complaining that on the night between the 25th and 26th December last, their properties were, by the order of Colonel Gordon Higgins, Commandant of the Garrison of the said City, blown up, by means of gunpowder, with the intention of arresting the progress of a Fire then raging, but without any such result or probability thereof,--and praying an investigation in the premises, and the adoption of measures to prevent a similar occurrence in future.

Mr. Speaker reported to the House, That the Recognizance to the Petition of John Strachan, Esquire, complaining of an undue Election and Return for the County of Huron, is unobjectionable.

Mr. Speaker also reported to the House, That the Recognizance to the Petition of André Bézeau, Richard Charles Porter, and William Brogan, complaining of an undue Election and Return for the County of Megantic, is unobjectionable.

Mr. Speaker also reported to the House, That the Recognizance to the Petition of N. Gatchell and others, complaining of an undue Election and Return of William Henry Boulton, Esquire, one of the Members for the City of Toronto, is unobjectionable.

Mr. Speaker also reported to the House, That the Recognizance to the Petition of A. Greeley and others, complaining of an undue Election and Return for the County of Prince Edward, is unobjectionable.

Ordered, That Mr. Street have leave of absence for two weeks from Wednesday next, on urgent business.

Ordered, That the Petition of the Brantford and Buffalo Joint Stock Railroad Company; the Petition of Thomas Bingley and others, of the Township of Haldimand; the Petition of Robert M. Boucher and others, of the Townships of Cramahé and Haldimand, Counties of Northumberland and Durham; the Petition of Robert C. Struthers and others, of the Township of Murray and of that part of the Township of Brighton formerly making part of the said Township of Murray, County of Northumberland; the Petition of J. D. Goslee and others, of the Township of Cramahé; the Petition of Robert McKee and others, of the sixth Concession of the Township of Hamilton, County of Northumberland; the Petition of the Trustees of the Montreal Cemetery Company; the Petition of the Mayor and Town Council of Bytown; the Petition of the Town Council of the Town of Amherstburg; and the Petition of the Provincial Mutual and General Insurance Company, be referred to the Standing Committee on Standing Orders.

Ordered, That the Bill to amend the several Acts incorporating the Company of Proprietors of the Champlain and St. Lawrence Railroad, and for other purposes, as reported from the Standing Committee on Railroads, Canals, and Telegraph Lines, be committed to a Committee of the whole House, for Wednesday next.

Ordered, That the Petition of Daniel Snyder and others, of the Township of Colchester; the Petition of Margaret Doherty and other females, of the Town of Amherstburg

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and its vicinity; the Petition of George Duncan and others, of the Town of Amherstburg and its vicinity; and the Petition of the Municipal Council of the United Counties of Essex and Lambton, on the subject of Temperance, be referred to the Select Committee to which was referred the Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton.

Ordered, That the Petition of John Strachan, Esquire, of the Town of Goderich, United Counties of Huron, Perth, and Bruce, complaining of an undue Election and Return for the County of Huron, be referred to the General Committee of Elections.

Ordered, That the Petition of the there-undersigned Freeholders and Voters at the last General Election of the County of Prince Edward, for a Member to represent the said County in Provincial Parliament, complaining of an undue Election and Return for the said County, be referred to the General Committee of Elections.

Ordered, That the Petition of the there-undersigned, complaining of an undue Election and Return of William Henry Boulton, Esquire, one of the Members for the City of Toronto, be referred to the General Committee of Elections.

Ordered, That the Petition of Dunbar Ross, of the City of Quebec, Esquire, Advocate, complaining of an undue Election and Return for the County of Megantic, be referred to the General Committee of Elections.

Ordered, That the Petition of André Bézeau, of the Township of Halifax, in the County of Megantic, Esquire, Trader and Justice of the Peace, Richard Charles Porter, of the Township of Ireland, in the said County, Trader and Postmaster, and William Brogan, of the said Township of Halifax, in the County aforesaid, Farmer and Agriculturist, complaining of an undue Election and Return for the said County, be

referred to the General Committee of Elections.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to Addresses to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 31st ultimo, praying that His Excellency would be pleased to lay before this House, copies of all Correspondence between the Imperial Government and the Government of this Province, or between any Member of the Administration of the Government of this Province and the Secretary of State for the Colonies, on the subject of the main Trunk Line of Railway between Halifax and Quebec, and thence westward through Upper Canada.

For the said Return, see Appendix (Z.)

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 24th ultimo, praying that His Excellency will cause to be laid before this House, a Return, in continuation of the several latest Returns sent down to this House for Upper Canada and for Lower Canada, of all the receipts and expenditure of the Clergy Reserve monies or funds in Upper and in Lower Canada, in detail, up to as recent a period or periods as the records of the Public Offices may enable the accounting Officers to make,--said Return to shew the resources, the sales of land, timber, &c., the proceeds of rents paid, and the expenditure, with the particulars of each receipt and outlay; the salaries and pensions paid to Missionaries of the Church of England, and their widows, in both Canadas, as per Imperial Statute 3 & 4 Vic. cap. 78; the allowances paid to the Ministers of the Synod of the Presbyterian Church of Upper Canada, under the same authority; also, the salaries of Wesleyan Methodist Missionaries, and all sums paid to or for the use of the Roman Catholic Church, and other Denominations, and to whom and for whom paid, in both Canadas; the state of the Clergy Reserve Fund or Funds appropriated to the United Church of England and Ireland, and the Church of Scotland, in the Canadas, since the date of the last Returns, as administered by the Society for the Propagation of the Gospel in Foreign parts; the monies received out of the Revenue Fund derived from the Lands reserved for the Clergy of the Church of England in Lower Canada, with the expenditure, since the dates included in the last Returns to this House; the like

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account as to all other Clergy Reserve Lands in Lower Canada; the Return to shew also, what balances there are of monies received out of the Clergy Reserve Funds, and where deposited, and whether the Banks or other depositaries are paying interest on said balances, and if so, what sums have been so paid; the receipts from Lands sold or rented, the principal and interest on sales, the charges of management, and to whom paid, and the disbursements.

For the said Return, see Appendix (A.A.)

Ordered, That two hundred and fifty copies of the last preceding Return be printed for the use of the Members of this House, under the supervision of the Standing Committee on Printing.

Ordered, That the Petition of Joseph Painchaud, Esquire, M.D., and others, of the City of Quebec, be printed for the use of the Members of this House.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, delivered to Mr. Speaker a Message from His Excellency the Governor General, signed by His Excellency.

And the said Message was read by Mr. Speaker, all the Members of the House being uncovered; and is as followeth:--

Elgin and Kincardine.

The Governor General transmits for the information of the Legislative Assembly, the copy of a Despatch from Her Majesty's Secretary of State for the Colonies on the subject of the protection of the Fisheries on the Coasts of British North America.

Government House,
Quebec, 13th September, 1852.

No. 32.

Downing Street, 27th May, 1852.

My Lord,--Among the many pressing subjects which have engaged the attention of Her Majesty's Ministers since their assumption of office, few have been more important in their estimation than the questions relating to the protection solicited for the Fisheries on the Coasts of British North America. Her Majesty's Government have taken into their serious consideration the representations which have been received on this subject from Nova Scotia, New Brunswick, and Prince Edward Island, and more recently from Mr. Hincks on the part of Canada, and have not failed to observe, that while active measures have been taken by certain Colonies for the purpose of encouraging their Fisheries, and of repelling the intrusion of Foreign Vessels, it has been a subject of complaint in New Brunswick that impediments should have been offered by the policy of the Imperial Government to the enactment of Bounties considered by the local Legislature essential for the protection of its trade. Her Majesty's Ministers are desirous to remove all ground of complaint on the part of the Colonies in consequence of the encroachment of the fishing Vessels of the United States upon those waters from which they are excluded by the terms of the Convention of 1818, and they therefore intend to despatch, as soon as possible, a small Naval force of Steamers, or other small Vessels, to enforce the observance of that Convention. These Vessels will of course be confined to the performance of the duties with which they are specially charged, and the Commanders will be enjoined to exercise a careful discretion in the very delicate office of interfering with Vessels belonging to Foreign and Friendly Powers.

With regard to the question of promoting the Fisheries of the British Colonies by the means of Bounties, Her Majesty's Government although desirous not to sanction any unnecessary deviation from that policy which regulates the Commerce of this Country, are still disinclined to prevent those Colonies, by the interposition of Imperial

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authority, and especially pending the Negotiations with the United States of America for the settlement of the principles on which the Commerce with the British North American Colonies is hereafter to be carried on, from adopting the policy which they may deem most conducive to their own welfare and prosperity.

Entertaining these views, it is the intention of Her Majesty's Government to advise the Queen to give Her Assent to an Act passed by the Legislature of Prince Edward Island, in the Session of 1851, for the promotion of its deep sea Fisheries, and they will be prepared to give favorable consideration to any Acts for a similar purpose which may be passed by the Legislatures of the other North American Provinces.

I have, &c.

(Signed,) John S. Pakington.

The Right Honorable

The Earl of Elgin and Kincardine,
 &c., &c., &c.

Ordered, That the said Message and Despatch be printed for the use of the Members of this House.

Ordered, That Mr. Terrill have leave to bring in a Bill to abolish the right of Primogeniture in the succession to Estates held in Free and Common Socage in Lower Canada, and to provide for the succession to such Estates.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Gamble, seconded by Mr. Boulton,¹

In accordance with notice previously given, MR. GAMBLE directed the attention of the House to a set of resolutions he intended to move. He proposed to take them up seriatim. The first as follows:--²

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Resolved, That in order to provide the means for the erection of Bridges, the construction or repair of By-roads, and other strictly local improvements in Canada West, which improvements, although of great importance to the particular neighbourhoods to be benefitted thereby, are not of such general public utility as to justify the expense of their construction or repair being defrayed from the general fund of the County, Township or Village, within which the locality of the proposed improvement is situated, it is expedient that each County, Township and Village Council be empowered, within their respective limits, to assess any Township, part of Township, or other locality, for such strictly local purposes, whenever required so to do by two-thirds of the Rate-payers to be affected by such assessment.

In moving this resolution he [Mr. Gamble] had acted on a petition of the Municipal Councils of York, Ontario, and Peel, which has for years prayed that this power should be conferred by Parliament, and the necessity for granting the prayer, arose from the fact that the existing Municipal law does not grant the power of levying local assessments for the purpose of defraying the expense of local improvements. Parties resident in particular localities, are thus cut off entirely from the means of obtaining those improvements which are necessary to their welfare, as they are unable to induce the Township or County Council to levy a rate for the purpose. If the resolution passed, and became law, this crying evil would be remedied at once, as the people who required the execution of a particular work for the benefit of their immediate locality, will be placed in a position to tax themselves. As an instance in point, he mentioned a case of peculiar hardship which occurred under the existing law; a certain number of persons in the new County of Ontario, were desirous of erecting a building for the purposes of a Grammar school, and subscribed money for that object; but, after the completion of the building, they found that they were still £200 in debt. They, then, applied to the County Council, to assess them so as to pay up the debt; but the Council had no power to do so; if they imposed any assessment it must necessarily be imposed on the whole County. The natural remedy for such a state of things is, of course, to give those localities which desire to incur any expenses [sic] of this nature, the power of levying such a rate of assessment as will accomplish their object, but lest there should be any danger of the rash and indiscreet exercise of that power, he imposed the check that the assent of two-thirds of the rate-payers should be necessary to its imposition.³

MR. INSP. GEN. HINCKS was exceedingly happy to say that the Government was not prepared to offer any opposition to the first resolution. He believed that it would effect a great improvement in the working of the municipal system; it was omitted from the bill because⁴ the hon. member who drew the bill which became the Municipal Act,⁵ the late Attorney-General West (Mr. Baldwin) had a very strong opinion on the subject, directly adverse to that entertained by the member for South York, and looked upon the granting of such a power to localities as exceedingly dangerous to the interests of individuals. However, as a great deal of difficulty is experienced throughout the country at present for want of this power, and as he believed that the check of a two-thirds vote ought to be sufficient for the purpose, he should not offer any opposition to the resolution.⁶ The Government will not oppose him [Mr. Gamble] at this state of the proceedings.⁷

MR. BROWN perceived only one danger in passing the resolution. It might put the power in the hands of a few individuals, possessing a small amount of property, to compel another to contribute very largely to their benefit. He would suppose the case of a side-road, on which only three individuals resided; one might possess a large amount of property, whilst the others, perhaps, possess merely a nominal amount. The two smaller proprietors in that case might agree to execute a particular work, and thus, the third party would be compelled to be the chief contractor of work of which he might not approve, and against which he might even have obvious objections. He threw out this suggestion for the consideration of the hon. gentleman

for South York.⁸

MR. INSP. GEN. HINCKS said that when the Bill is introduced it may be made to contain a provision to guard against such a contingency.⁹

MR. H. SMITH (Frontenac) suggested that the hon. gentleman should strike out of the resolution the words "part of township"; he apprehended that great difficulty and much confusion would result from the grant of such a power.¹⁰

MR. GAMBLE said that would defeat the very object for which the resolution was introduced.¹¹

MR. MERRITT was in favour of the principle involved in the resolution. It is a principle recognized in every part of the United States that if a particular street in a city, town, or village is improved, the inhabitants of that street shall be assessed to cover the expense; that the residents on a particular road shall be taxed if that road is improved; and the principle is a sound and correct one.¹²

MR. G. WRIGHT, West York, was satisfied that the resolution could not be put into operation in the rear townships without creating immense confusion.¹³

MR. STEVENSON believed that it could not be carried out to advantage in the townships. In cities or towns such a system might work well but he was inclined to believe that ... from doing so in the country, that it would be almost inoperative. The fact is, that scarcely any road in the country can be improved without conferring a benefit on others than those who reside immediately on that road, and in that case the resident would be extremely unwilling to bear the whole expense of the improvement. So much has this been the position of affairs that townships has [*sic*] frequently refused to assess the resident population for the improvement of a road in that township, contending that a portion of the expense should be borne by the inhabitants of the surrounding townships, as they participated also in the benefits derivable from the improvement.¹⁴

MR. ROSE thought the hon. member who had introduced the resolutions deserved the thanks of the country and the House for them. He entirely approved of their principle, and objected to the remarks of the last speaker.¹⁵

MR. STREET approved of the principle of the resolution, but thought it was not sufficiently explicit, as to the mode of carrying it into effect. It did not define the limits within which the rate-payers who give a two-thirds vote should arrive. If the townships throughout Upper Canada were all divided into wards he could readily understand that the rate-payers in the particular ward in which the improvement may be situated should vote, but several of the townships are not so divided, and, consequently, much confusion would result from an attempt to put the resolution in force as now worded.¹⁶

MR. LANGTON could not see the difficulty which induced the member for Welland to object to the resolution. He conceived that it was sufficiently definite to determine that merely the rate-payers of the locality to be affected are to vote. In his own county, and especially in his own township, the working of the measure will be highly beneficial, and will afford much satisfaction, as the townships are in some cases so divided by water that the interests of one section of a township are entirely foreign to those of the other section, and it is impossible to obtain a unanimous vote for any work of local improvement.¹⁷

The question was then taken on the first resolution, and it was carried unanimously.¹⁸

MR. GAMBLE moved the second resolution, as follows:--¹⁹

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Resolved, That the many cases of indigent infirm persons who, from extreme old age, disease, loss of limbs, or other calamity, are unable to earn a subsistence for

themselves, imperatively require that provision should be made for their support by the Municipalities within which they reside; to this end it is expedient that the Township and Village councils should be authorized by law, when required by a majority of the Rate-payers in such Township or Village, to levy a rate for the support of such indigent infirm persons upon such Township or Village respectively.

In moving the resolution, MR. GAMBLE said he had no doubt he would have the support of the Inspector-General. It was one that the country desired.²⁰

MR. MACKENZIE expressed his entire approbation of the resolution, and his belief that it was adapted to the wants of the country.²¹

MR. SMITH suggested that it would be better to give power to the township council to levy the rates, without the proposed requisition, which would involve great loss of time.²²

MR. STEVENSON and MR. INSP. GEN. HINCKS also supported the resolution, merely suggesting that care should be taken to define the limits within which the parties entitled to relief by any village or township council should reside.²³

MR. MERRITT said the principle had been more than once adopted by the House of Assembly of Upper Canada, but rejected by the Council on the plea that the people should not be allowed to tax themselves.²⁴

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Mr. Gamble moved, seconded by Mr. Boulton, and the Question being proposed,

MR. GAMBLE moved the third resolution as follows:--²⁵

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That in order to conduce to good and economical local government in the several Counties in Canada West, and to ensure the prompt and efficient discharge of the various duties of the County Officers, it is expedient to alter the several Statutes now in force in relation thereto, and to confer on the County Councils in that Section of the Province, the power to appoint fit and proper persons to fill the offices of Sheriff, Clerk of the Peace, Registrar, and Clerk of the County Court, whenever such offices may become vacant, and also to empower the said Councils to regulate the Fees, Salaries, and Emoluments pertaining to the said offices;

MR. INSP. GEN. HINCKS said that he was extremely sorry it was not in his power to give the assent of Government to the third resolution. The object of that resolution is to transfer from the Crown to the Common Councils the patronage of several judicial offices. He could not understand the benefit to be expected from such a transfer. He could well understand that certain persons are desirous of rendering the office of Sheriff elective, and of introducing into this country the system which prevails in the United States; but he could not understand how such persons proposed to effect their object by vesting the appointment in the County Councils.²⁶ [He] opposed this on the ground that these officers should be appointed by the authority to whom they are responsible, and as the government was responsible for the administration of justice, it ought to nominate them.²⁷ As long as the Government retains the control over the administration of justice, it seemed to him that it should also retain the power of appointing those judicial officers affected by the resolution, who ought not to be made responsible to bodies from which they are altogether dissociated in their sphere of action. In that case, the Government would not have the power of calling to account a Sheriff, or Clerk of the Peace, for any dereliction of duty. He must, therefore, give this resolution a negative on the part of the Government.²⁸

The resolution was supported by MESSRS. MACKENZIE and BOULTON.²⁹

MR. MERRITT would give it his hearty concurrence. He was in favour of the application of the elective principle to every county officer, and cannot see whom

they owe a greater responsibility to than the people resident in the counties. This is not a new principle. It has been debated over and over again in Parliament; and when the Municipal bill was first introduced, he had argued in favour of its extension to all these officers: at the time, it was impossible to obtain the consent of Parliament in the election of the Warden and the Treasurer, but the people would not be content unless that was conceded. It has been conceded; and now the people will not be content unless these officers are also rendered elective. The system now in operation is essentially bad, as it recognizes the existence of two separate and distinct powers in one locality. But he went much further than the principle contained in the resolution; for he is in favour of the election of magistrates, precisely as in the City of Toronto at the present.³⁰

MR. MACKENZIE.--By the County Councils?³¹

MR. MERRITT.--No! By the people. He is told that the Town Reeve is a magistrate, and therefore that the principle of electing magistrates is recognized, but does not the Government also appoint magistrates? There are thus two separate bodies of magistrates, drawing their power from distinct sources. He desired the abolition of this system, and the recognition of the right of Township Councils to act as Courts of Quarter Sessions. That was an object he had always advocated, and always should advocate until it was effected, as it will save a large expense to the country. He was glad that this resolution was introduced by the member for South York, and gave notice that when it came before the House in the shape of a bill, he would take the sense of the House on the Propositions he had advanced.³²

MR. BOULTON condemned the Inspector-General for his opposition to the resolution. He was surprised that the head of a reform and progress ... [ministry] would object to such a principle. The truth was, he was a complete "fossil"--as much so as a genuine tory of twenty years ago. (Laughter.)³³

MR. J. SMITH facetiously remarked that the conservatives were beginning to break off into different kinds, and the hon. member for Toronto, he would call a "clear grit conservative." He condemned the principle of the resolution and asked with respect to a Sheriff how he must be punished if he did not perform his duty, if he were appointed by the County Council? How would you get at him?--He was not really responsible to the Council. The hon. member agreed that the fault was not in the present system, but it was in the Government in putting improper persons into office, because of their being political partisans; he agreed farther that if this system of improper appointments were continued, there would be demands for making the officers elective every year. If the Sheriff were elected, there would soon be a cry for the election of Judges.³⁴

MR. MACKENZIE was in favour of applying the elective principle to the appointment of those officers, but not in the manner proposed by the member for South York. He was desirous of having the Sheriffs appointed to office merely for a short period, not for life. In the United States they are appointed by the President, with the consent of the Senate, which, in its executive capacity, is somewhat similar to our Executive Council. In Britain, they have been elected during a period of four hundred years by the people, and in some counties that right of election is still retained; but nowhere in the history of Christendom, can any instance be found of their election for life, except in these benighted colonies. The principle of election is English in its origin, not Yankee, as many gentlemen are inclined to suppose. Whenever they hear of a proposition to render any public office elective they denounce it, without further enquiry, as Yankee, whereas, if they would only look a little further they would ascertain that the Yankees have borrowed the principle from their English forefathers. Blackstone is a good authority on this point, and he argues strongly in favour of the election of Sheriffs; and if gentlemen would look into the records of the British Parliament, they would find that Edmund Burke, and, with him, several of

the most distinguished peers of Great Britain, entered their solemn protest against the refusal of that principle to one of the North American Colonies. But he could not support the proposition of the member for South York, which was merely in effect the introduction into this country of the electoral colleges of the old French revolution. He (Mr. M.) could not go as far as the member for South York in that. The hon. gentleman is now at the head of the Municipal Council for York, Ontario, and Peel, and he wished to convert it into an elector college, with powers that it had no right to. He would leave the hon. gentleman there. He would not follow him out in such plans. Why did not the hon. gentleman trust to the freeholder for the election of these officers? But, no, no, the hon. gentleman would not do so; he did not like to trust too much to the freeholders, although he belonged to the republican side of the Conservative party. In England, they were not afraid to trust to the freeholders, and for a long, long time, even to the present day, in some counties, the Sheriffs are elected by them; and whoever heard of any difficulties resulting from their possession of that power. He never had: but he had the authority of Lord John Russell for saying that when his ancestor was led to the block, the Sheriffs throughout England were remarkable for their love of liberty. A very different feeling has been discernible among them in Canada. A very different feeling characterized the conduct of the Sheriff of the Home District in 1836, 1837, and 1838. And if Sheriff Jarvis were to try his chance for re-election to office under the English system, he (Mr. M.) would answer for it that, if he went among his old constituents of the County of York, and told them the half of the things which that gentleman has done since his appointment to office by the Crown, they would never re-elect him. But he is perfectly safe now; and there is the evil of the present system--no matter how much the Sheriff may abuse his authority, he may set the people at defiance, because he is irresponsible to them; he is appointed by the Crown, and holds his place for life. What reason for complaint could there be if we followed out the English system? If we rendered the office elective, and the term of office to be only one year? If any one would get up and say that the people are not as capable of electing a good and trustworthy officer as the Crown, he would give up the principle.³⁵

MR. H. SMITH (Frontenac) would answer the gentleman. The offices of Sheriff in England, and Sheriff in this country are very dissimilar. The duties performed here by the Sheriff are analogous to those performed in England by the Deputy Sheriff, and that officer holds his situation as a permanent office.³⁶

MR. MACKENZIE said that, admitting that to be the case it made no difference as to the principle for which he contended. He argued the question at considerable length, urging the necessity of making the Sheriff directly responsible to the people for his behaviour while in office; denying that any evil could result from such a course; as he had seen the Governor of New York (Mr. Seward) remove a Sheriff who had been elected by the freeholders, for misconduct, and the same power of removal would exist in the Government here. He confuted the proposition of the member for South York, and concluded by moving in amendment to it³⁷.

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Mr. Mackenzie moved in amendment to the Question, seconded by Mr. Wright of the East Riding of York, That all the words after "That" to the end of the Question be left out, and the words "it is expedient to confer on the Freeholders and other Electors of Members of the Legislature, the power to elect, periodically, fit and proper persons

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to fill the offices of Sheriff, Coroner, and Registrar, in each County in Canada West" inserted instead thereof;

MR. CRAWFORD would support the resolution if he wanted to damage the government. With regard to the election of Sheriffs, he disapproved of it, and did not see how business was to be done, if they were to be elected continually. He also condemned

the appointment of Registrars by the County Councils, and thought the government could make more proper selections. He would vote against both resolution and amendment.³⁸

MR. LANGTON said, if supporting the appointment of local officers by the Municipalities was a sign of a Clear-Grit, then he must acknowledge the tendency. But he objected to the officers named in the resolution being named by the Council, because they were not the servants of the Council. As far as his experience went the paying over the money was one of the greatest difficulties in the present arrangement respecting Sheriffs, and what was most required was the fixing of some terms, at which the paying over of the money must necessarily take place. He did not desire to have the judicial office filled by election: but the Sheriff had not to judge between man and man; but to do certain things that he was directed. In London the Sheriffs were elected; but in the rest of England they were appointed by the Crown. Still the nature of the office of Sheriff in the two countries was so totally dissimilar that he did not think any comparison could be made; but the Deputy Sheriff in Great Britain was frequently changed. At the same time, though very anxious for periods to be fixed at which the Sheriffs should be obliged to make up their accounts, he did not desire the County Council to have the nomination of the Sheriff, though he thought they might properly have the election of the other officers named. He would much prefer Mr. Mackenzie's amendment, and would therefore vote for it. He did not wish the Councils to become electoral colleges, for secondary election was always bad, and he had always found that Councils worked in the most friendly and patriotic manner till an officer was to be appointed, and then all that good feeling departed in the fighting for the appointment of their friends.³⁹

MR. BOULTON was surprised to hear the hon. member for Brockville declaring that the people, if allowed to elect their Sheriffs would elect men who would not do their duty. They had elected a member of Parliament who knew his duty, and they would elect Sheriffs, who would desire to do so. He complained of the motion of the hon. member for Haldimand, inasmuch as it was impracticable; and hoped that this step would now be taken, in the manner first demanded, for if it were not, the effect would be that the people would be dissatisfied, and would return a sweeping majority in favor of elective institutions throughout. In that case, the Judges would be elected as well as the rest. Now he was not, and never would be for elective judges. Another reason why he could not vote for the amendment was because it did not provide for maintaining the interests of present incumbents.⁴⁰

MR. ROSE stated that he could not vote for either of these motions. Though in favour of elective institutions, he was not disposed to extend them too far, and he thought if they were to be extended to the point now proposed, it ought first to be extended to other officers. For instance, the Magistracy ought to be elected, as that would prevent the Ministry and members of the House from much embarrassment, for while a party could only be kept up by favouring its friends, that principle might be carried much too far. He had long been clearly against applying the elective principle to persons who were to decide in money matters between man and man, for they would always be influenced by the will of their constituents. As to several of the officers named in the resolutions, and as to Clerks of the Division Courts, he thought it desirable that they should be elective. But he would not vote for them now, because he required time to reflect, before he changed existing institutions. He voted in that way, however, with great reluctance, because he thought the time might come when it would be proper to do so.⁴¹

MR. LYON did not think the change in the mode of appointing Sheriffs would have any effect in improving the manner in which these officers performed their duties, as they were now responsible to the Courts, and to parties whom they might wrong. Nor did he hear much complaint of the Sheriffs, and had heard no good reason for changing the mode of their appointment. The Sheriffs had in fact no connection with the County Council; nor had most of the officers named in the resolutions. If there were

any members who desired to give the election of these officers to the people, it was because they had no confidence in the present system of government, by which the people had in fact a right to censure the appointments of the administration.⁴²

MR. STREET, though quite ready to trust the people, would not fritter away the prerogatives of the Crown, till they at last come to nothing at all. If gentlemen wanted a change in the Government, let them bring up the subject, and let it be discussed in a large sense, and he was ready to meet it; but he was not ready to discuss it by piecemeal. He thought Lord Sydenham right when he said that to grant the election of the county wardens would be to break the tie with the mother country, for ever since that plan had been adopted he saw each Parliament doing something to fritter away the prerogatives of the Crown. But under our present system of Government he thought the patronage more safe where it was, than in the hands to which it was proposed to commit it. He thought the Ministry were more directly responsible than local electors would be, and though he did not approve the appointment of the Registrar of Kingston, held that the remedy was, not to change our present system of Government, but to make those who were responsible for that appointment feel the universal reprobation which such conduct must have upon them.⁴³

MR. WRIGHT knew that greater demands would be made in the present direction; but was not prepared to vote for the resolutions, until he saw public opinion pushing the Legislature on. Now he knew there was at present great difference of opinion on this matter. As to the Registrar, he would vote for making him elective; but was not prepared to do the same thing in the case of the Sheriffs. Under these circumstances he would vote against both motion and amendment.⁴⁴

MR. HARTMAN contended that though the Sheriff had no connection with the County Council, his duties were intended for the benefit of the people of the country, and he asked who was so well able to judge of the competence of any candidate [sic], for the place as the Council? One great complaint at present was that the Registrar was very much over paid; but at any rate they and the other local officers were paid by the localities, strictly for the benefit of these localities. They ought therefore to be responsible in the same way. At present these officers were irresponsible except to the government, and that small responsibility was felt, at most, once in four years. Whereas by this change the responsibility would be felt every year. The hon. member for Welland had spoken, as if he thought our connection with great Britain depended upon this measure. He (Mr. H.) did not look forward to a separation, and would take no pleasure in it, but he considered the welfare of our country the first thing, and that in the present case that welfare might be consulted without at all interfering with the interests of Great Britain. In fact, he could not understand what interest England could have in the matter.⁴⁵

MR. AT. GEN. RICHARDS said the question was if officers engaged in the administration of justice ought to be appointed by localities or by the crown. It was admitted that local judges should not be elected, and to go a step further it was, he thought, most important that those to whom the local execution of justice was committed should be removed from inferences, which were thought to be dangerous.⁴⁶ A great deal had been said on many other occasions, as on the present, about the misconduct of Sheriffs, and the incapacity of the Government to deal with them. He was well aware that just causes of complaint had formerly existed on that score; but they exist no longer. He, certainly, has heard no complaints on that ground during the last few years; and he believed that he did not take an unwarrantable liberty in saying that the present Government is prepared to deal in a summary way with any Sheriff who retains money in his possession (hear, hear). Gentlemen opposite might shake their heads if they pleased, but he would tell these gentlemen, that when a case can be made out against a Sheriff, let them make a complaint to the Government, and they will ascertain whether his declaration is sincere or not. As regards the position of [the] County Registrar, he would say that the Registrar has grave and important duties to perform; and that

it is a matter of the very highest importance to the landed population, whose title deeds are in his possession, that the duties of the office should be properly and fitly discharged; and that a fit and proper person should be appointed to fill that office. Instances of great misconduct on the part of the Registrar had occurred in Upper Canada, and the result was great confusion; but such instances had only tended to show the necessity for appointing that officer during good behaviour, instead of during the pleasure of the crown, for the express purpose of securing the faithful performance of the duties. The reason is, that the title deeds to the property of every man in the country are entrusted to the care of this officer. And he would ask whether it is not reasonable to suppose that, if he were exposed to the chances of election every year, or every two or three years, he would endeavour to ingratiate himself with a particular party, by whom he obtained his election, rather than attend closely and sedulously to the duties of the station? Then he would ask whether it is desirable that a person filling that office should be subjected to such influence? Whether it is desirable to expose him to such a temptation to neglect his peculiar duties? However, if any change is to be made in the manner of appointing Registrars, and if the present system is to be altered, then he thought it would be much better to go one step further, and make the town-clerks ex officio Registrars of their several localities.⁴⁷

MR. BOULTON.--Hear, hear.⁴⁸

MR. AT. GEN. RICHARDS would infinitely prefer such a change in the plan now proposed. It had been argued that the Registrars of some counties were overpaid, and that if their appointment were vested in the Common Councils they might adopt such a scale of fees as would remunerate them sufficiently, and not too much; but he would like to know how this fluctuation scale is to be established; and he would also like to know why the settler in one county should be compelled to pay a higher sum for registering his deed than his neighbour would have to pay in the adjoining county? And if the tariff of fees under the action of the County Councils is to be the same throughout the Province, then he would like to know why the farmer in the County of York is to be compelled to pay a larger sum than is actually necessary for the labour in order that the Treasury of the Crown may reap a benefit by absorbing all the surplus? He could see no reason for the adoption of such a singular system. It appeared to him unnecessary; but, if it were shown that the fees now paid are too high, he would be perfectly ready to concur in a proposition to cut them down to a reasonable rate. With regard to the Clerks of the Peace, he would say that he believed the fees now paid to those officers are too high, and that it is very probable that the Government may come down with a measure for their reduction. The office itself, however, is intimately connected with the administration of justice, and therefore, the appointing power should, in his opinion, remain, as heretofore, with the Crown. Gentlemen who had supported the resolution attempted to convey the idea that the public mind in Upper Canada was violently agitated on the subject; and that the people of Upper Canada were exceedingly desirous that its principles should be recognized by the House. He would like to know how they became acquainted with that fact? The member for South York, it is true, has presented a petition from the Municipal Council on the subject, but that hon. gentleman ought to remember that there are other Municipal Councils in the Province than that of which he is the head, and that there are other counties in Upper Canada besides York. He should remember that it does not necessarily follow that the whole Province is impressed with the same ideas which may prevail in his neighbourhood.⁴⁹

MR. BOULTON.--All the reform papers are in favour of it.⁵⁰

MR. AT. GEN. RICHARDS.--All the reform papers are in favour of nothing of the kind. It would be difficult to discover any which are in favour of it. He held the opinion that the principle contended for by the member for South York is absurd. If any change is to be made, the amendment to be submitted by the member for Haldimand, (Mr. M.) is the only reasonable one. The grant of such powers to County Councils, which have

nothing to do with these officers, which can have no control over them, and which are constituted for an entirely different purpose, is manifestly absurd. The gentleman for South York said, "Why can't you trust the people?" but the gentleman did not himself propose to trust the people, but to confer a power on certain bodies to whose regular sphere of duty it is altogether foreign. As to the mere question of patronage, some gentlemen might think, and some would, no doubt, say that the Government is exceedingly anxious to retain this patronage in its own hands, but he could say from his own knowledge of the existing Government, that they did not desire to retain it, except on principle. Gentlemen may fancy that it is a very desirable thing to have the power of disbursing the patronage, but he would inform them that those who have the management of it do not obtain much enjoyment from it, and, as far as their own comfort and convenience is concerned, they would gladly be freed from it. It was solely because, as an officer of the Government knowing the importance of retaining this patronage in the hands of the Government, that he resisted all attempt at change.⁵¹

MR. STEVENSON referred to a speech of Mr. Perry, in East York, in which he said that he would vote first for elective county officers; then elective judges; then an elective Governor, and lastly would call the Governor a President. He looked upon this motion as an entering wedge. At present the Council was elected for the improvement of the neighbourhood; but if they appointed officers, and exercised patronage, politics would be introduced, and they would be chosen not for the good they were to do; but for the men they were to appoint.⁵²

MR. DIXON did not like promises to inquire and act at a future time. They had become so numerous that they were putrid in the eyes of the people. Now he did not see, why this proposition was hostile to our existing institutions; nor why those, who elected the members of that House and who were to make the laws of the whole country, should not elect a sheriff or a registrar. In England the elective principle was everywhere carried out, and it was difficult to say how a ministry sitting in Quebec could know more of the qualifications of an officer in the County of Middlesex than the people of that County themselves. The Inspector General always had a parcel of mean people barking about his heels, and attempting to get some miserable little office for which they could never get elected. By this means patriotism was degraded into the very dust. He maintained that this proposition for elective institutions was a conservative measure. Let men who talked about the British constitution look at British history; and they would find that the King always appointed his Judges to administer justice; but the sheriffs had formerly been elected by the people--the ministry themselves derived their office and their power. He, however, though he would elect Sheriffs would not turn them out of office, so long as they behaved well. With regard to the hesitation of the hon. member for Grenville to give his vote, he traced it only to the fact that the ministry were not disposed to move, and that, therefore, he would not oppose them.--Now as to the prerogative of the crown, it was well known that the gentlemen opposite had deprived the crown of all prerogative, since the hon. Inspector General was virtually the governor of the country, and the crown's prerogative was reduced to differing in the speech from the address which ministers were going to name in reply to it.⁵³

MR. BROWN thought it was unfortunate that this question should be brought before the House as a mere secondary matter. It appeared to him to be a subject of considerable importance, and one in which the people of Upper Canada take a large interest. There were few questions on which there had been so much popular agitation, a fact of which the hon. Attorney General ought to be pretty well aware; but this strong feeling out of doors, he did not think a sufficient reason of itself for acceding to the demand of the member for South York. The question should be considered solely on its merits. Before making so important a change,

it would be well to ascertain what arguments can be advanced in its favour. The gentlemen advocating it should show its necessity, its effects, and its probable benefits. He thought that they had failed to make out a case. Did they complain of the conduct of the parties who at present held office in Upper Canada? Not a word of the kind was uttered; except in regard to some of the appointments made prior to the introduction of Responsible Government. The member for London believed that a great deal of corruption exists in the distribution of the patronage of the Crown now; but yet that honourable gentleman would be quite willing to return to the old system when the public had no control whatever over the Government patronage, and abuses greater than at present everywhere abounded.⁵⁴

MR. DIXON could assure the member for Kent that he was mistaken, whatever his doubts or convictions may be (hear, hear).⁵⁵

MR. BROWN was glad to hear it--but believed that the view generally taken by the Conservative party was that the Crown patronage had been much worse managed since the introduction of Responsible Government. It is true that since the introduction of Responsible Government we have the spectacle frequently presented, as the hon. gentleman says, of hungry applicants for office, crowding round the Prime Minister, and that a very prejudicial effect is often thereby produced, but after all, look at the results of the system, look at the officers appointed by the Government, the Post Masters, Sheriffs, Custom-house officers, and where will you find in any country in the world a body of more efficient and faithful public servants? When do you ever hear of an officer in the public service of this country in default? But go to the United States, and you will discover defaulters there in crowds.⁵⁶

MR. MACKENZIE.--Those offices are not elective in the United States.⁵⁷

MR. BROWN was quite aware of that--but the effect was the same. They are placed in office by the administration of the day, with the distinct knowledge that they hold office for but four years; that they will be turned out when the next administration comes in, and the result too frequently is that they feather their nests while they can.⁵⁸

MR. INSP. GEN. HINCKS.--Hear, hear.⁵⁹

MR. BROWN.--And it is a remarkable fact that if you take up the report of the Secretary of the United States Treasury, and look at the long list of defaulters, you will find that none of these errors on the part of public officers are discovered until the end of the four years--you will find few instances of the discovery being made while the political party of the defaulter still hold[s] power. He was quite prepared to admit that there are faults connected with the existing system in Canada; that grave abuses do sometimes occur; that applicants crowd around the Prime Minister, and that the odium proceeding from such a cause attaches to that system; but it is no undoubted fact that the appointments as a whole are good. And the reason is palpable. If the Ministry make a bad appointment they have to answer for it to the country--they have to defend it on the floor of the House. For his own part, if he wanted to break down a Ministry, he should desire nothing better than that they should make a few very bad appointments. Suppose that, since the last meeting of Parliament, the Ministry had made some six or eight appointments which would not bear the test of examination, none knew better than the hon. member for Haldimand how they could be so turned and twisted in this House, that it would be utmost impossible for the Ministry to retain their seats on the Treasury Benches. And the Ministry kept this in view--they were careful not to give the opportunity.⁶⁰

MR. BOULTON.--Look at the appointment of a medical man as book-keeper in the Crown Lands office. He knows nothing about his duty.⁶¹

MR. INSP. GEN. HINCKS.--Let the member for Toronto make his charge against the

Government, and we will be ready to meet it.⁶²

MR. BOULTON.--The appointment is ridiculous. The gentleman is now obliged to take lessons in book-keeping.⁶³

MR. BROWN confessed he had thought it strange at the time that such a nomination should be made; but he had made some enquiry, which had satisfied him that Dr. Ford was after all a man of talent, and if it were well applied, he may yet be able to fill the office with credit and usefulness. If it were in the power of the member for Toronto to show that it was an appointment which should not be made, there was no question that he would raise a storm which it would be difficult for Ministers to confront. The great object that the House should keep in view was to work out fairly the institutions we have; not to attempt on every difficulty to revolutionize those institutions. It was true that the manner of distributing patronage might in some degree be amended for the better. The Government takes into their own hands too much of the power of filling mere local offices. When a friend of the Administration represents a county, he of course is consulted relative to any appointments to be made in his locality, and in that way the popular feeling of the county is carried out; but when a member of the Opposition represents a county, a great deal of corruption takes place. He did not wish it to be inferred that the Administration should pass over their own friends and appoint their opponents in office. He conceived that the Ministry are right in appointing their friends, provided that they are competent. What he wished to say is, that the Government, in all cases of local appointments, should consult the county member, leaving the responsibility with the Government of refusing or accepting his recommendation. Such he believed was the practice of the excellent Post-master General, and the appointments in his department were generally calculated to subserve public interests, and have given universal satisfaction. Hon. gentlemen should remember that there was no system of government, no administration of government, which carried a charm with it, which was perfect in all its details. All systems were fraught with human frailty; and he thought every day's experience showed the more clearly that those are the best which in their results confer the greatest benefits. What difference does it make whether the appointing power was in the hands of the Government, of the County Councils, or of the people direct, if the result were that we had inefficient officers? The present system does produce efficient officers; and a change should not be rashly made. While he said this, however, he had no objection to a change in the appointment of purely local officers. In the motions before the House there are two classes of public servants pointed at,--those who are immediately connected with the counties, and naturally responsible [sic] to the local councils; and those connected with the administration of justice. As to the former, in his opinion, there could be no dispute that the patronage should be placed under local control. But as to the officers connected with the administration of justice, his opinion was that they should be left under the control of the Executive Government. The officers connected with the administration of justice were not merely local officers. The Sheriff's duties, for example, were not confined merely to his own county, but were intimately connected with the judicial system of the whole country. The member for London had expressed his anxiety that the Sheriffs should be rendered elective, and that they should hold office during good behaviour; but how did the member for London propose to get rid of them if they misconducted themselves? Did he propose to elect them over again?⁶⁴

MR. DIXON.--No.⁶⁵

MR. BROWN.--Another strong reason for leaving these appointments in the hands of the Government, was the absolute necessity for a prompt and ready check upon every officer in such highly important offices who might misconduct himself; and that check was not possible, under either the County Council or the elective principle. An officer elected by the people held office during a certain term and for inefficiency

there was no way of removing him, and if the control over him were vested in the County Council it would be necessary for that body to be always on the watch, and whenever a cause of complaint arose, to call an extra meeting at a great expense for the express purpose of taking the complaint into consideration; under the existing system the checking power was always ready to act on any complaint, on the instant--and if they did not they were held responsible to the whole country⁶⁶.

MR. BOULTON.--There is one officer from whom the Government cannot get their money, according to the showing of the Attorney General himself.⁶⁷

MR. BROWN.--That is the fault of the Government. It does not result from the want of power, for the Government possesses full powers of redress on the instant. Another objection to the elective principle in these cases is that the officers would be rendered perfectly independent of each other. The clerk of a Court might refuse to obey the order of the judge, and contest the point on the score of illegality. The judge in such a case could have no power of enforcing obedience, as the subordinate officer would have received his appointment from a power distinct from, yet co-ordinate with that which appointed the judge himself.⁶⁸

MR. BOULTON.--What can be done now, in such a case?⁶⁹

MR. BROWN.--If the case is sufficiently grave, the Judge can adjourn the Court, telegraph the Government, and obtain immediate redress. How different from a call to the County Court, or to the rate payers, to meet at some distant day and adjudicate upon the case, and then would come a fight before that body on some point of law or etiquette! The grand objection, however, to this scheme is, if the elective principle is once begun with respect to judicial appointments, it must be carried out, and the Judges will very soon follow suit and be made elective too. Nothing is more clear than this. If you elect one officer of the judiciary, you must elect the whole. Gentlemen have advocated the election of Magistrates, but to this he was totally opposed, although he did not believe it could be said that he was what the hon. gentleman for Toronto termed a "fossil!" He did not wish to see political Judges or political Magistrates elected in Upper Canada. He did not wish to see a Tory candidate for the Bench pitted against a Reform candidate on the hustings; nor did he wish to see the decisions given from the Bench tinged upon every occasion with party feelings, and clearly evincing the desire of a man--who should from his high station, be clear of all political bias--to preserve his party influence. For these reasons he should oppose the Resolutions, at the same time desiring it to be understood that he was quite willing to confer on the localities the appointment of all local offices not connected with the administration of justice.⁷⁰

MR. AT. GEN. DRUMMOND held that our whole system was dependent upon the principle involved in this proposition. By our present system the responsibility was indirect instead of direct, but it was a greater responsibility in the first case than in the latter; for elective officers were irresponsible during their term of office, and if there were any change in these institutions, it must eventually lead to elective officers throughout the Government⁷¹. "Oui, s'écrit-il, dans son zèle monarchique, il ne faut pas s'y tromper, la question n'est pas de savoir si nous abandonnerons, au nom de la couronne, la nomination de quelques officiers publics, mais bien entre les institutions monarchiques et les institutions républicaines. Emprisons nous de combattre les dernières, car les premières sont bien meilleures pour le pays."⁷²

MR. SOL. GEN. CHAUVEAU, le second avocat de la Reine, se leva pour faire écho au premier et dire: "AINSI SOIT-IL."⁷³

MR. MERRITT instead of conceiving this a question between republicanism and monarchy considered it was really a question between centralization and decentralization. Why was it that some people preferred the old irresponsible system to the present one? Because the present system did not work so well as it might do. The fact was that in the State of Vermont just the other side [of] the line, they had registration

in every township, and they had had the registrar elected for one hundred years. He was in favour of this local self-Government because all history showed that it must come. It had come in New York and it was resisted till the whole of the old system was swept away, and resistance here would in like manner lead to what he should deplore, the election of Judges.⁷⁴

MR. SOL. GEN. CHAUVEAU held that the Sheriff and registrar were not local officers, for they were the officers of every man in the country. Besides there was a great deal in what had been said by the hon. member for Shefford. There must be one of two systems. All officers might be made elective it was true; but then there could be no longer any utility in a responsible executive, which would be sitting with no business to transact.⁷⁵

MR. GAMBLE was glad to see the progress made, by the hon. member for Kent, and thought if he continued, he would shortly be in a position to gain a progressive administration, whose only title to the name was there [sic] opposition to the smallest progress. Now there was a great outcry about elective magistrates; but were there not elective magistrates in every city, and in every rural municipality? He could see no harm in electing magistrates, and this brought him to what had been said about erecting the municipal council into elective colleges. He preferred to give the election of these officers mentioned to the people directly; but he knew it would be useless to propose it, and therefore, endeavored to carry the next best thing. He contended that the institutions for which he contended were strictly English, and if they were to be found in the United States, it was because they were borrowed from England. It was not intended by his measure to turn out the existing Sheriffs; but to let the change take place gradually as vacancies occurred. At present there were complaints of the Sheriffs from one end of the Province to the other, and the same thing was true of the Registrars. The Registrar of Peel and Ontario was an example. Nothing could be more unjust than the proposition of the hon. Attorney General to pay all registrars alike, for what would be a fair remuneration in a large county where there was a very considerable population, would be excessive in a smaller country [sic]. But the fact was, the people in the eyes of the ministry, were not to be trusted. [He] was astonished to hear Mr. Rose say he would vote against this resolution, when that gentleman had presented a petition from his constituents; praying that the appointment of all these officers except Sheriff[s] should be conferred on him. He trusted the hon. member for Norfolk, however, would be in his place at the division, as he counted upon the hon. member's vote. He proceeded to point out the difference between the system of Government which prevailed in England, and that which prevailed in Canada; contending that this difference obliged us to have, in the absence of the checks, those which were proper to democracy. He was not now and perhaps would not ever be in favour of elective Judges, though no one would say what might take place; but in the meantime he was in favour of an Elective Governor, remembering that in the United States, those States which had elected the whole of their officers, were just the ones who longest continued to preserve their loyalty. He also replied to the objection, that if patronage were given to the municipal councils, politics would be introduced there, contending that there was no fear of the kind.⁷⁶

MR. INSP. GEN. HINCKS was well aware that the gentleman who had just taken his seat is convinced that the present system of government will not work, and that he is determined to overthrow it.⁷⁷

MR. GAMBLE said that the Inspector General was in error. He had never avowed a determination to overthrow the existing form of Government.⁷⁸

MR. INSP. GEN. HINCKS replied that it was impossible for any one to construe the gentleman's line of policy in any other manner. The objection which that gentleman and his colleagues had, is, that the Government is too Democratic, more Democratic

than the Government of France previous to the usurpation by Louis Napoleon, and for this reason the gentlemen opposite had taken up their scheme of rendering public offices elective as a Conservative measure. They urged that it is impossible to work out Responsible Government in this country, because we have not, as in England, a House of Lords, and a union of Church and State, as checks on the popular will, and that in the absence of these checks, the Government becomes a purer Democracy than that of the United States; but he could not perceive what bearing these two peculiarities of the British constitution can have on the subject under consideration. The member for South York, and the member for Haldimand, bring forward their propositions to render certain judicial offices elective, one by the County Councils, the other by the rate-payers, but both coincided in charging the Government with being afraid of the people, because the Government felt bound to resist such unwise and inconsiderate innovations. He would tell them that the Government had no such fear; he could answer for himself, at least, for whatever power he possessed in this country, the very influence which hon. gentlemen were pleased to attribute to him, he owes to the people alone, who have freely granted it in consequence of his advocacy of popular rights. Gentlemen were disposed to talk very largely of that influence, and to think that a member of the Cabinet could appoint whomsoever he pleased to office, while the fact is that no one on the floor of the House possessed less power to gratify his own friends than a Cabinet minister. Some years ago, when he entered upon office, he found that almost every clerk in his Department was opposed to him in political feeling, and in order to be secure of one in whom he could confide such duties as he did not desire to entrust to other persons in office, he appointed a very distant relation at a low rate of salary; and what was the consequence? Why the country rang from one end to the other with charges of nepotism, and charges that he was creating offices for the purpose of putting in his relations. This feeling appears to have been considerably excited on the subject of local appointments; the impression being general that a system of favourites is carried on by the Government. If the truth were actually known, it would be apparent that in this, as in all other cases, the ministers of the Crown have but slight opportunities indeed of gratifying their personal or political friends. No such reasons entered into his opposition to the elective scheme. He opposed it, because he believed that if this power were taken out of the hands of the Government, a very great injustice would be done with regard to the public service. As a case in point, he mentioned the course pursued by the Government with reference to a County Judge, whom the whole legal profession in Toronto was desirous of seeing removed; it was a delicate task, under the circumstances no Government would think of actually removing him from office as incompetent, but the situation of Registrar became vacant in another county, and it was offered to, and accepted by him. Such things will occur again and again, and it is fitting and right that the Government should have the power of making arrangements similar to the one he alluded to. At the same time the people have as direct an influence on each appointment made by the Government as if they made it themselves, and have a far more direct and satisfactory check on misconduct, as these officers are appointed during pleasure. With respect to the position of the Sheriff, he would mention one fact: the Sheriff of the county he represents is a strong political opponent and since he (Mr. H.) became a member of the Government strong and repeated complaints have been made against that gentleman. Charges of the most monstrous kind have been openly made against him, and the result of this is that a very strong feeling unfavourable to him existed among the population of the county. As a political opponent, [the] gentleman might think that he (Mr. H.) would have been glad, and that he possessed the power of turning him out of office--it certainly became the duty, to examine the charges and allegations carefully, and he was bound to say in justice to that gentleman that none of the charges could be sustained, that he was perfectly innocent, and that it was out of his (Mr. H.'s) power, as a member of the government to advise his removal, although at the moment all his political friends were urging him to it. (Hear, hear.) That is the working of the present system; but if the system of the member for South York or that of the member for Haldimand were

in operation, that innocent man would have undoubtedly been ejected from office on charges that would not bear the test of examination (hear, hear). The object of the member for South York is to deprive the Government of all power, for the purpose of carrying out an object he has in view--the application of the elective principle throughout; if that system were once fairly established, separation from Great Britain must inevitably follow and with it the destruction of the best form of Government in the world. That is his solemn conviction. But there is another view of the question. The government have come down in Parliament with the programme of the measures which they are prepared to submit to Parliament; if these measures are of trivial importance, and if the measures which the member for South York takes under his special charge are of more importance than the Clergy Reserves and the other measures proposed by Government in the opinion of the country, then the member for South York should give the ministry a hint of that fact and they would be only too happy to surrender their places to him, and his friend from Haldimand and those other gentlemen who are ready to co-operate in his place. He had no hesitation in saying that the opposition which the Government experienced from the member for Haldimand is altogether inconsistent with any degree of friendliness, or intention to render support. That gentleman would understand that the course he had pursued, and which he was entitled to pursue, was not one that the Government expected from a friend, nor such as they conceive they have a right to expect from Reformers. He was convinced that the great mass of the Reformers of Upper Canada are in favour of the present Government and desirous of seeing it get fair play, and that they do not desire to see the factious opposition which all the government is receiving from some of the Reformers in the House. He would tell the member for Haldimand that if he desired to obtain reform, he was taking the wrong course; that it tended to sap the strength of the party, and indefinitely to postpone reform. He understood the tactics of that hon. gentleman thoroughly. Some were afraid of him, but the hon. gentleman knew from the experience of the last Parliament that he (Mr. H.) is not afraid of him; and he set him and his missives at perfect defiance. Every one knew that the hon. gentleman will send out to the country a sort of Journal of proceedings in Parliament: that he will scatter around his broad sheets embellished with hands, and marks of exclamation, appended to the votes on the Conciliation Courts bill, and the Rectory bills and the Clergy Reserve question, but he (Mr. H.)⁷⁹ was not afraid of the hon. member, and the hon. member knew it; and though he believed some hon. members were afraid of that hon. member, all he could say was that he entertained a very poor opinion of any one who was so. Mr. Hincks concluded by defending the appointments of Messrs. Durand and O'Reilly.⁸⁰

MR. MACKENZIE replied, that his principle was the true elective one and not the original motion. He endeavored to shew that the country was in favour of the reform that he desired, and that several members from Upper Canada who had opposed it, misrepresented the views of their constituents. The hon. member for Kent had received cheers from all sides, from the government, and gentlemen all around cried "hear, hear," and when one listened to the Io peans which the hon. member now sung in favor of the government, one might think that old times were come again, and that that hon. member sung again old songs though in a different place (loud laughter,) and that he had forgotten all that he had been saying for the last few months. The hon. member contended there was not so much virtue in the government as had been represented, and that their doings were not generally known. There were the "pet banks" and the auditing of the public accounts, by a humbug committee; and the people did not see all the details of these. He again reverted to the member for Kent, and amid loud laughter said it was strange to see him puffing the government. Nobody could tell what would come of it. The hon. gentleman spoke in general terms at some length, in which he attacked the government and lauded the financial talents of the Inspector General.⁸¹

COL. PRINCE taunted Mr. Gamble with inconsistency; and did not believe him sincere in the profession of his new doctrines, and he (Col. P.) could not support him. In

speaking of the hon. member for South York, he incidentally stated that he (Col. P.) vote[d] for the secularization of the Clergy Reserves. He proceeded to speak on the subject of the election of Sheriffs. These officers were elected only in a few instances in England, while throughout the length and breadth of the land they were appointed by the Crown: nor in those cases where Sheriffs were elected in England, were the circumstances the same, or the constituencies analogous to those by which they were proposed to be elected in this province. He concluded by alluding to the petition he had formerly presented in favour of Independence. He would ever defend that, but he denied that he ever favoured annexation, as had been stated in the public prints. He had only been in favour of asking the Queen to consider whether the time had not arrived when Canada should become independent.⁸²

MR. COM. CR. LANDS ROLPH was nearly inaudible, but was understood to state⁸³ the reasons which would influence his vote. He was not prepared to say that the Sheriff and Registrar should always be appointed in the same manner as at present. There was one reason which would govern his vote: the original motion came from the member for South York, and came very properly from him; the Government has introduced several measures for the consideration of the House, but as usual, on the old principle of opposition, gentlemen on the other side of the House have taken up a question which the Government had not had time to consider, or to act upon, and push that question in the hope of causing embarrassment. If the Government had brought in a proposition to render Sheriffs elective, those gentlemen would have gone a step further, and would have introduced one to render the Governor elective. It is utterly impossible to bring in any programme at the opening of Parliament which will cover all the ground that gentlemen may choose to take up for the purpose of causing embarrassment. He would then vote against the original proposition because the Government had not had time to consider it, and because, as a Government, the right is perfect to vote it down for delay. He will always be prepared to take that course on similar occasions. It is perfectly right that the member for South York should pursue the present course with a view to embarrass the Government, and he (Mr. R.) would not vote against the principle, but against the occasion which the gentleman has taken to push the question on the House. With respect to the proposition to amend, his regret and astonishment were great to find the member for Haldimand playing second fiddle to the member for South York. The course of the member for South York is a plain, straightforward one; that of the member for Haldimand, dishonourable. He was sorry to say so, but every one must see that such is the fact. There is not a Conservative who would act the part of that gentleman; for, from his knowledge of the Conservatives in Parliament, he knew them to be high-minded, consistent, honourable men, who are bound together by high principles; and, therefore, no one ever saw the politically disgraceful spectacle afforded by a Conservative rising to the assistance of a Clear-Grit to embarrass the Government. It was time that the gentlemen on the Ministerial side of the House should take a lesson from the honest consistency of their Conservative opponents. He should therefore vote against the amendment, on the ground that the member for Haldimand had allied himself with the member for South York to embarrass the Government. He did not vote against the principle, but against the unseemly connection which he must then, as on all other occasions, deprecate.⁸⁴

(141)

And the Question being put on the Amendment; the House divided⁸⁵: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Fergusson, Langton, Mackenzie, Merritt, and Wright of East Riding of YORK.--(5.)

NAYS.

Messieurs Boulton, Brown, Burnham, Cameron, Cauchon, Solicitor General Chauveau, Christie of WENTWORTH, Crawford, Dixon, Attorney General Drummond, Dumoulin, Egan,

Fortier, Gamble, Gouin, Hartman, Hincks, LaTerrière, Laurin, Lemieux, Lyon, McDonald of CORNWALL, Malloch, McDougall, McLachlin, Mongenais, Morin, Paige, Patrick, Polette, Prince, Attorney General Richards, Ridout, Rolph, Rose, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Street, Stuart, Taché, Terrill, Tessier, White, Willson, Wright of West Riding of YORK, and Young.--(48.)

So it passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton, Dixon, Fergusson, Gamble, Merritt, and Willson.--(6.)

NAYS

Messieurs Brown, Burnham, Cameron, Cauchon, Solicitor General Chauveau, Christie of WENTWORTH, Crawford, Attorney General Drummond, Dumoulin, Egan, Fortier, Gouin, Hincks, Langton, LaTerrière, Laurin, Lemieux, Lyon, McDonald of CORNWALL, Mackenzie, Malloch, McDougall, McLachlin, Mongenais, Morin, Paige, Patrick, Polette, Prince, Attorney General Richards, Ridout, Rolph, Rose, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Street, Stuart, Taché, Terrill, Tessier, White, Wright of East Riding of YORK, Wright of West Riding of YORK, and Young.--(46.)

So it passed in the Negative.

The fourth resolution was put by MR. J.S. MACDONALD the SPEAKER⁸⁶:--

4. Resolved, That the Legislature having conferred upon the different Municipal Councils in this Province the power to make such By-laws and Local Regulations for the good government of the Cities, Towns, Townships and Villages therein, as to them shall seem meet, and having also entrusted to the said Councils the construction of the necessary Public Buildings, Roads, Bridges, and other improvements, it is desirable and highly expedient to give them every facility to carry on, and complete the said public improvements, by placing under the control of the said Councils, the approbation and disposal of all the local revenue arising within their limits respectively, from the duty on Shops, Stills, Billiard Tables, Hawkers and Pedlars, and Goods sold at auction.⁸⁷

A few remarks [came] from MR. INSP. GEN. HINCKS and ... from the mover, MR. GAMBLE⁸⁸.

The ... resolution ... was [then] withdrawn, on the ground that the manner of its introduction was irregular; as it should have originated in a committee of the whole.⁸⁹

The resolutions passed were referred to a Select Committee, with instruction to report by bill⁹⁰.

(141)

Resolved, That the said Resolutions be referred to a Select Committee, composed of Mr. Gamble, the Honorable Mr. Attorney General Richards, Mr. Dixon, Mr. Willson, and Mr. Hartman, to report thereon with all convenient speed, by Bill or otherwise.

Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Morin, The House adjourned.

FOOTNOTES: 13 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 14 September 1852, PILOT, 14 September 1852, MONTREAL GAZETTE, 14 September 1852, BRITISH WHIG, 14 September 1852, HAMILTON SPECTATOR DAILY, 14 September 1852, GLOBE, 14 September 1852, BATHURST COURIER, 17 September 1852, and OTTAWA CITIZEN, 18 September 1852. The following papers reported the debate in partially identical accounts: PILOT, 15 September 1852, HAMILTON SPECTATOR DAILY, 15 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, BRITISH COLONIST, 17 September 1852, and OTTAWA CITIZEN, 18 September 1852; MORNING CHRONICLE, 14 September 1852 (which misdated the debate as 5 September 1852), MORNING CHRONICLE, 15 September 1852, QUEBEC GAZETTE, 15 September 1852, MONTREAL GAZETTE, 15 September 1852, PILOT, 16, 17 September 1852, GLOBE, 18, 21 September 1852, HAMILTON SPECTATOR DAILY, 18, 21 September 1852 (which copied from MORNING CHRONICLE, 15 September 1852), BRITISH COLONIST, 21 September 1852, EXAMINER, 22 September 1852, HAMILTON GAZETTE, 23 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, NORTH AMERICAN, 24 September 1852, and NIAGARA MAIL, 29 September 1852. The following papers noted the debate: GLOBE, 16 September 1852; and L'AVENIR, 22 September 1852.
2. GLOBE, 18 September 1852.
3. IBID.
4. IBID.
5. BRITISH COLONIST, 14 September 1852.
6. GLOBE, 18 September 1852.
7. BRITISH COLONIST, 14 September 1852.
8. GLOBE, 18 September 1852.
9. IBID.
10. IBID.
11. IBID.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. IBID.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. BRITISH COLONIST, 14 September 1852.
28. GLOBE, 18 September 1852.
29. BRITISH COLONIST, 14 September 1852.
30. GLOBE, 18 September 1852.
31. IBID.
32. IBID.
33. IBID.
34. IBID.
35. IBID., 21 September 1852.
36. IBID.
37. IBID.
38. IBID.
39. IBID.

40. IBID.
41. IBID.
42. IBID.
43. IBID.
44. MORNING CHRONICLE, 14 September 1852.
45. IBID.
46. IBID.
47. GLOBE, 21 September 1852.
48. IBID.
49. IBID.
50. IBID.
51. IBID.
52. MORNING CHRONICLE, 14 September 1852.
53. IBID.
54. GLOBE, 21 September 1852.
55. IBID.
56. IBID.
57. IBID.
58. IBID.
59. IBID.
60. IBID.
61. IBID.
62. IBID.
63. IBID.
64. IBID.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. IBID.
70. IBID.
71. MORNING CHRONICLE, 15 September 1852.
72. L'AVENIR, 22 September 1852.
73. IBID.
74. MORNING CHRONICLE, 15 September 1852.
75. IBID.
76. IBID.
77. GLOBE, 21 September 1852.
78. IBID.
79. IBID.
80. MORNING CHRONICLE, 15 September 1852.
81. IBID.
82. IBID.
83. IBID.
84. GLOBE, 21 September 1852.
85. L'AVENIR, 22 September 1852, contained the following commentary on this division:
"Par une coïncidence assez remarquable, il n'y avait pas un seul des démocrates
du Bas-Canada en chambre lors de la division, la plupart étant absents de Québec."
86. MORNING CHRONICLE, 15 September 1852.
87. GLOBE, 21 September 1852.
88. MORNING CHRONICLE, 15 September 1852.
89. GLOBE, 21 September 1852.
90. MORNING CHRONICLE, 15 September 1852.

TUESDAY, 14 SEPTEMBER 1852.

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MR. SPEAKER reported to the House, That the Recognizance to the Petition of Gédéon Durocher and Augustin St. Louis, Esquires, complaining of an undue Election and Return for the County of Richelieu, is objectionable.

The following Petitions were severally brought up and laid on the table:--

By Mr. Malloch,--The Petition of A. Scott and others, of Bytown and its vicinity.

By Mr. Christie of Wentworth,--The Petition of Henry Hall and others, of the Township of Binbrook; the Petition of the Municipality of the Village of Paris; and the Petition of Jacob Rynal and others, of the Counties of Wentworth and Brant.

By Mr. McDonald of Cornwall,--The Petition of William D. Mattice, Esquire, and others, of the Town of Cornwall.

By Mr. Shaw,--The Petition of John McGill Chambers, of Montague, in the United Counties of Lanark and Renfrew.

By the Honorable Mr. Chabot,--The Petition of Charles Hector A. Huot, of the Parish of Baie St. Paul, County of Saguenay.

By Mr. Willson,--The Petition of the Reverend Robert Boyd and others, of the Counties of Middlesex and Elgin; and the Petition of Alexander Clark and others, of the Townships of Ekfrid and Caradoc.

By Mr. Wright of the West Riding of York,--The Petition of John Lancaster and others, of the County of Peel.

By Mr. Taché,--The Petition of George Larue, Esquire, M.D., and others, of the Parish of St. George de Cacouna and other places, in the County of Rimouski.

By Mr. Egan,--The Petition of Alanson Cooke and others, of the District of Ottawa; and the Petition of Edward Cole, Esquire, and others, of the Seigniority and Fief of La Petite Nation.

By Mr. White,--The Petition of James Coleman, Esquire, Mayor, and others, of the Town of Dundas; the Petition of Sarah Jackson and others, mothers and daughters, of the City of Hamilton; the Petition of the Desjardins Canal Company; the Petition of the Mayor and Corporation of the Town of Dundas; the Petition of William Nixon and other youths, of the City of Hamilton; and the Petition of Christina Laing and others, mothers and daughters, of the Village of Wellington Square and vicinity.

By the Honorable Mr. Badgley,--The Petition of the Bar of Lower Canada, Section of the District of Montreal; and the Petition of William S. Childs and others, of the City of Montreal.

By the Honorable Mr. Hincks,--The Petition of Morris L. Green and others, of the County of Oxford.

By Mr. Brown,--The Petition of James Gardiner and others, on behalf of the Bay of Quinté Annual Conference of the Methodist Episcopal Church in Canada; the Petition of the Reverend John Reynolds and others, on behalf of the Bay of Quinté Annual Conference of the Methodist Episcopal Church in Canada; the Petition of the Reverend John Segbert, Bishop, and others, the Elders and Ministers of the Evangelical Association in Conference assembled at Berlin, County of Waterloo; the Petition of Robert Emond and others, of the County of Waterloo; the Petition of H. Glass and others, of the Counties of Kent and Lambton; and the Petition of Norman B. Fish and others, of the Township of London, County of Middlesex.

By Mr. Stevenson,--The Petition of the Reverend William Reid and others, of the County of Prince Edward.

Ordered, That the Petition of A. Jeffry, Esquire, and others, of the Counties of

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Northumberland and Peterborough, relative to a Railway from the Town of Cobourg to the Town of Peterborough, be referred to the Standing Committee on Standing Orders.

Resolved, That the Petition of Thomas Richard and others, of the Township of Hamilton, County of Northumberland, be referred to a Select Committee, composed of Mr. Burnham, Mr. Langton, Mr. Dixon, Mr. Stevenson, Mr. McDougall, Mr. Hartman, and Mr. Rose, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers and records.

The Honorable Mr. Chabot reported from the General Committee of Elections, That they had selected the following days for the appointment of the Select Committees to try the matter of the Petitions complaining of undue Elections and Returns for the following places:--

County of Kamouraska,--On Friday, the 1st day of October next, at 10 o'clock in the forenoon, from Panel No. 1.

County of Huron,--On Friday, the 1st day of October next, at 12 o'clock, noon, from Panel No. 1.

City of Toronto,--On Tuesday, the 5th day of October next, at 10 o'clock in the forenoon, from Panel No. 2.

County of Prince Edward,--On Tuesday, the 5th day of October next, at 12 o'clock, noon, from Panel No. 2.

County of Megantic,--On Tuesday, the 12th day of October next, at 10 o'clock in the forenoon, from Panel No. 3.

Mr. Cartier, from the Standing Committee on Railroads, Canals, and Telegraph Lines, presented to the House the Third Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to amend an Act passed in the eighth year of the Reign of Her Majesty to incorporate the St. Lawrence and Atlantic Railroad Company, and to extend the powers of the said Company, and have agreed to recommend the same, without any amendment, to the favorable consideration of Your Honorable House.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 8th instant, praying that His Excellency would be pleased to cause to be laid before the House, all Documents and information respecting the Marriage License Fund arising in Lower Canada, and copies of the Commissions or authority given since the Union of Upper and Lower Canada to the persons from time to time entrusted with the issue of such Licenses, together with an account in detail of all monies collected, received, or paid for Marriage Licenses in Lower Canada, and of all expenses attending the collection and payment thereof, specifying the sums received, the sums retained, and the sums paid into the hands of the Receiver General in each year, by the several and respective persons charged with the issuing of such Licenses, and shewing also whether any of the money so collected remains to be accounted for.

For the said Return, see Appendix (B.B.)

MR. INSP. GEN. HINCKS¹ moved the set of resolutions, of which he had given notice some time ago, on the Clergy Reserves, and a debate ... [arose thereon]

almost immediately after the House opened².

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The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being proposed, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's

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Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof:"

MR. INSP. GEN. HINCKS said, pursuant to notice, he rose to move a series of resolutions on which it was proposed to found an address to Her Majesty; and he must confess he felt great embarrassment, because the subject was worn threadbare; and he scarcely knew in what manner to occupy the attention of the House. It is one, he said, which had been before the Province for a series of years, and consequently had been fully discussed. The question may be considered in two points of view--first, as it had been settled by the Imperial Parliament, and [second] the manner in which it might be settled by the Provincial Legislature. He had always thought that it was the true policy to endeavour to bring the question³ home for discussion⁴, under the control of the Provincial Legislature. Now there were persons in Canada, and probably in the House, who think the Legislature ought not to be trusted. But whatever opinions he might entertain with reference to the ultimate disposal of the Reserves, he considered⁵ qu'il est de la dernière importance relativement aux droits constitutionnels du pays, que cette question soit réglée par un acte provincial⁶, and should its determination not be satisfactory to the people of the Province, they would have the power by means of a legitimate influence on the Government to compel a satisfactory settlement. He thought a great deal of misapprehension existed in the public mind,⁷ with respect to this subject⁸. Now it is to be recollected, that when the Act of the thirty-first of George the Third was passed, by which powers were conferred on both provinces, there were certain lands reserved from the public domain, with the intention that their proceeds should be applied for the support of the Protestant clergy, but reserving the power to the Colonial Legislature to repeal the enactment. It was evident when that Act passed, the Upper Province was comparatively unsettled; and that the Imperial Parliament, legislating in accordance with the views of the people of England, which were well known to be favourable to the Established Church and its connection with the State, gave to the people of Canada, if they thought fit, power to connect the Church with the State in this colony. At the same time he contended, it was left to them to determine whether, or not such connexion should exist. And it was evident from the action of the Legislature from time to time, that this was not desired by the people: who wished these Reserves should be set apart for religious purposes, and for one common object, in which all could concur. For this purpose it was only necessary to refer to the Resolutions of 1850, which contain a history of what had occurred from time to time, until the question had been settled at the time of the union of the Provinces. He thought no one could read the Resolutions and proceedings of the House of Assembly of Upper Canada, during a long series of years, and when the Conservative party had a majority in Parliament, and which were in accordance with the views entertained by the other side of the House, without being satisfied that the

opinion of every successive Parliament,⁹ with majorities liberals [sic] or tory,¹⁰ was, that the proceeds should be applied¹¹ to the purposes of secular education¹² and which he would defy any gentleman to contradict, and there is evidence also, that the Imperial Government was satisfied as to the expediency of repealing the Act of 1792¹³. So long as twenty years ago Lord Goderich sent out a bill to be introduced to the Provincial Parliament by the law officer of the crown, which would have completely settled [sic] the question in a manner satisfactory to the people of the province¹⁴ with instructions to the Government to have it passed, and which the Attorney-General of that day absolutely refused to vote for.¹⁵ He said this, to refute the idea, which it was hoped to inculcate on gentlemen from Lower Canada, that there were some vested interests in these Reserves,--a position, which he thoroughly repudiated. He did not discuss the question how far state support of religion was advisable, that was to be decided by the people of Upper Canada; but he did know that an attempt [sic] to divide the property among the different Churches had signally failed.¹⁶ The people of Upper Canada did not desire State support of religion and ... any scheme having that for its object, would not be sustained by them; and every effort which had been made years ago to settle the question on that principle had proved abortive. It was not till 1841, however, that a bill had been carried through the Legislature, which had been sent home for the royal assent. And it had been contended, that if the Imperial Government had sanctioned the Act of third and fourth Victoria, that no difficulty would have arisen as to the settlement of the question. Had the royal assent merely been refused, the subject would have remained with the Legislature here, but on the contrary, a bill was introduced into the Imperial Parliament, and as long as that remained in force it must be generally admitted, that any action of the Provincial Legislature, would be null and void. This position he held to be undeniable. Then he would say: what was the best course to have taken under the circumstances when the question first came under the consideration of the Government, or when the Government was first prepared to take action on the question? Three modes were suggested¹⁷ to meet the difficulty.¹⁸ One was to legislate on this subject by bill in advance of any action by the Imperial Parliament,¹⁹ [that is] to set the Imperial act at defiance.²⁰ Now, the practical result of such a step is this--no Governor, as long as this Province is in connection with Great Britain, no matter who he may be, will ever give his assent to an Act of this Legislature for the repeal of an Imperial Act. That is perfectly clear. It is equally clear that such a bill being reserved for the royal assent, no British Minister would dare to advise his Sovereign to assent to²¹ legislation thus made in defiance of the Imperial Legislature.²² The Minister who gave such advice to his sovereign would be liable, and justly liable, to impeachment for having done so. He is bound to watch over the honour of the Crown, and to carry out the acts of the Imperial Parliament, and he repeated that no minister dare advise the royal assent to any Provincial edict which would render the acts of the Imperial Parliament nugatory. Therefore, those who advocate legislation by bill advocated resolutions if they meant anything, for their proposition could have no other practical result. Then, since the proposition which he now renewed was first made by one of the gentlemen with whom he has had the honour to act for some years past, another mode of procedure, was suggested--he believed by the member for Norfolk (Mr. H. J. Boulton)--to pass a bill containing a suspending clause so that the bill should have no effect until the Imperial Parliament should pass an act authorising the Crown to assent in such Provincial Act. He was never able to understand what object was to be gained by advocating such an extraordinary step, unless it was with a view to embarrass the Government of the day, and to prejudice them in the eyes of the

people as not being ready to carry out a particular line of policy. [If] it is admitted by the advocates of that step that an Imperial act is necessary before any legislation can be complete, then what is the difference between the course they propose, and the plan he had submitted for adoption? He advocated the adoption of an address in the strongest, yet most respectful terms praying for the repeal of the Imperial act, so as to enable the legislature of the Province to legislate on the subject; whilst the advocates of the other course say "legislate first, and then force the Imperial Parliament to conform to the bill that you will pass"²³ in all its details.²⁴ They wish to force the Imperial Parliament to come to a decision on the details of this question! They not only wish to take from the people of Canada the right of setting [to rest] the great question which is peculiarly Canadian in its character but they wish to take out of the hands of the people of this Province the right to say in what mode that legislation shall be carried out! That is the position in which the advocates of a bill would place the Imperial Parliament. But when he looked to the state of public opinion in England: to the manner in which the Imperial Legislature is constituted; when he perceived as a component part of the British constitution the recognition of the connection between Church and State; when he observed that the Queen, the head of the state, was the head of that Church: and when he found that it is not even contended by any member of this House that the connection between Church and State exists in this Province, he must say that it is perfectly absurd to attempt to compel the Imperial Parliament to express an opinion as to the details of that measure which would at all coincide with the feelings or the sentiments of the people of this country, as long as the members of the Imperial Parliament, and the agents in carrying out the British Constitution are pledged to carry out that constitution as it at present exists. The advocates of the bill knew that well. They knew well that in a legislature composed in great part of the members of the established Church of England, and pledged to maintain that Church, that it would be impossible to obtain a majority which would consent to the details of a measure of this kind that would be acceptable to a majority of ... the people of this Province. But he knew as a matter of fact, that, although this is the case, there are many members of the Imperial Parliament, and he had no hesitation in mentioning the name of one of the most distinguished members of that body--Mr. Gladstone, who has occupied the position of Secretary of State for the Colonies under a Conservative Administration, who is as strongly attached to the Church of England as any member of the House of Commons, who now represents²⁵ the University of Oxford²⁶ in that House, and who is distinguished for his advocacy of the union between Church and State--taking Mr. Gladstone as an example, he would say that it would be impossible to force that gentleman to express an opinion in favour of appropriating the Clergy Reserves to secular purposes. As a matter of conscience he would be bound to resist the details of any measure for that purpose: but he had strong feelings with regard to the rights of the Colonies to legislate for themselves on local questions, and would, beyond all doubt, go most cordially with the majority of this house on the question of [the] right to deal with the question without any reference as to the particular manner in which they would deal with it--the first question is a great constitutional one, the other a mere matter of secondary importance.²⁷

MR. J. A. MACDONALD (Kingston)--Mr. Gladstone voted in a different manner in 1840.²⁸

MR. INSP. GEN. HINCKS did not care what he did in 1840. Whatever Mr. Gladstone may have done then, it will be found that in 1852 or 1853 he will vote in favour of giving the colonies this power; and what is true with regard to Mr. Gladstone

is true of many others. He looked on it, then, as an absurdity to mix up the great constitutional question with a mere matter of detail.²⁹ He had no desire to impute insincerity to those who agreed with him in the main; but might differ from him in details,³⁰ but he would say that nothing could be more injurious to the country than to squabble about that matter before we have it in our hands, and to prevent the same spectacle as was exhibited³¹ too often ... in the³² last Parliament, when gentlemen who agreed thoroughly in principle in the main question, split the party into pieces, on questions of detail. But he desired to call their attention to the fact, that there are gentlemen in the House of Assembly who oppose the whole of these projects, because they are afraid to trust the Canadian Parliament with the settlement of the question: and there are gentlemen who would rather see the existing settlement maintained, than see the question legislated on by the Canadian Parliament, except in the particular manner that they desire.³³ [They] desired ... to have pledges before hand of the manner in which the reserves were to be disposed of if they were handed over to Provincial authority.³⁴ He protested altogether against the doctrines of these gentlemen. He believed that the apprehensions they entertain are totally without foundation. He believed that if they were sincere in their desire to have the question settled permanently, they would trust with perfect confidence to the good sense of the Legislature to settle it in a manner satisfactory to the country. It would be no argument with him to say that the Canadian Legislature would not settle it in the precise manner that he desired. Such an argument would have no force with him; even admitting it to be correct, he would take precisely the same course as he did on the present occasion. He is desirous of bringing the subject within the controul of the Canadian Parliament, in order that it may be finally determined by an Act of that Parliament; feeling convinced that if it is not settled by them in a manner satisfactory to the great majority of the people, they will exercise such an influence on their Representatives as to compel a satisfactory settlement. What he meant to say is, if the settlement made by the Parliament is not exactly such as he would desire, he will take it as proof positive that the views he entertains are not in accordance with those of the majority of the people. A good deal had been said with regard to the views of the Government on this question, and the member for Toronto (Mr. Boulton) had gone as far, on the preceding evening, as to inquire whether the resolutions were introduced as a Government measure. Of course, the member for Toronto was perfectly free to put such a question, but it would lead to some remarks, as to the position of the Government on the subject. That position may be considered in a two-fold light: first, as to the mode of dealing with the subject when it came under the consideration of the Government³⁵, he would state that the present resolutions, for bringing the question before the Parliament were submitted by the authority of the government, and were to be made a cabinet question.³⁶ [They] were introduced with the consent, and by the authority of the Governor-General, precisely as any other Government measure would be; then as to the other question following out of that, reference has been made, on various occasions as to the course which the Government will be prepared to take on the question, supposing that the Government is in a position to deal with it--gentlemen would perceive that that is a question of a totally different character, and with which the House has, now, nothing to do. When he was honoured with a call from the Representative of Her Majesty to form an administration, the subject of the Clergy Reserves had already occupied so much of the public attention, and had been such a prominent subject of agitation, that he felt, as far as he was concerned, that it was altogether too important to permit any misunderstanding to prevail respecting it; and in discussing the mode of the

formation of the Government with³⁷ Mr. Morin³⁸, the Provincial Secretary, he satisfied himself that that gentleman would go with him in making it a cabinet question--he referred to the introduction of these resolutions,³⁹ but as to this subsequent disposition of the Reserves, that was quite another question; into which he had no right to go.⁴⁰ It is perfectly obvious that it was impossible to proceed beyond that point. Who can tell whether that gentleman will be in the cabinet when the matter of the disposition of the Reserves forms a subject for legislation? Who can tell whether he (Mr. H.) will be in the Cabinet? How is it possible to make the disposition of the Reserves a Cabinet question when it is not within the control of the Provincial Parliament; and when it is impossible to tell when it may be brought within their control? The mode of proceeding adopted by himself and his colleague is the true, constitutional, mode of proceeding, of that he is convinced. He satisfied himself with regard to the views entertained by the gentleman who was called on to form that portion of the Cabinet which represents the Eastern section of the Province, and the length to which he will go; and, in doing so, he maintained that he not only took the true and constitutional course, but that [which] he and his friends had a right to expect from him. In the communications subsequently held with the Commissioner of Crown Lands relative to his taking a position in the Cabinet, he informed that gentleman of the discussion which had taken place between himself and the Provincial Secretary, and made him acquainted with the fact that there would be no difficulty on that subject; at the same time, stating most distinctly that he (Mr. H.) was prepared to go to the utmost limits that his friends could wish, and that he was prepared to abandon the Government if the subject were not introduced as a Cabinet measure. There is, therefore, no difficulty, on the part of the Government, in the way of such a settlement as the majority of the people of Upper Canada may desire. That being the case, he considered that he had a right to expect that those persons in Upper Canada who concur with him in opinion on this question, should be satisfied with the position taken by the Government. He believed that the true course is to proceed by address, to demand with moderation, and yet with firmness, the repeal of the Imperial Act; and if this course is taken he has no more doubt of its success than he has of his own existence.⁴¹ He was ... satisfied ... that ... the Imperial Parliament would be induced by a large majority to grant what was required⁴². With respect to the despatch of Sir John Pakington, he held a very different opinion from those gentlemen who saw in it a determination on the part of the Imperial Government, to refuse the right of legislation on this question to Canada.⁴³ He [did not] see in the despatch of Sir John Pakington, anything that led him to believe the right Hon. Bart. at the head of the Colonial Office, was ready to oppose the will of the people of the Province.⁴⁴ He might differ in opinion with her Majesty's Cabinet as to the question involved, but he could have no doubt of a perfect concurrence of sentiment on the prominent question at issue--the right of managing our own local concerns; and he is quite ready to admit that there are peculiar circumstances which would justify the language of that despatch. When he recollected the manner in which Lord Derby's Cabinet is formed; when he recollected that that Cabinet rests for its support on gentlemen in the Lords and Commons who, no doubt, entertain views differing essentially from those held by a majority of the members of the Canadian Legislature, he could not wonder that that Cabinet paused before hastily committing themselves to a measure which must be exceedingly distasteful to them from its antagonism with all their opinions. When Earl Grey, holding sentiments very different from those which prevail in the existing Imperial Cabinet, on this subject, stated that it was with extreme repugnance that the Whig Government would proceed to disturb the present settlement, can it be at all surprising that

the Government of Lord Derby should also view the disturbance of that settlement with repugnance? It is not, therefore, at all strange that that Cabinet should decline for the moment to take any action, on the plea that the resolutions passed during the last Parliament are the expression of opinion of a Parliament which had expired, more particularly when it is remembered that the most strenuous efforts have been made to impress them with the idea that the new Parliament contains a majority of members who differ totally from the last Parliament on this point--the vote on the resolutions now before the House will test that question, and show Sir John Pakington how far he is right. For these reasons, he must confess that he felt no degree of surprise that the Cabinet of Lord Derby should decline to take any action until they had an opportunity of judging of the tone and temper of the present Parliament. It appeared to him that the very language of the despatch would evince a desire not to commit the Imperial Government to any particular lines of policy until they were enabled to obtain further information, and that Sir John Pakington merely uses his legitimate influence for the purpose of inducing the Canadian Legislature to pursue that course which he and his colleagues would prefer. But the important part of the despatch is that which contains an admission of the impossibility of retaining the Imperial Act in force. The Queen's Government are unwilling to disturb the act, but if it should be necessary for the public welfare they are ready to sanction a fresh distribution from time to time. Now, it is perfectly clear that they would never have given expression to such a sentiment, if they had not seen the necessity for making a concession to public opinion in Canada on this point. He would give to hon. gentlemen opposite all the pleasure they could derive from a despatch so worded as to convey ideas entirely foreign to theirs. If it had been intended to convey their views, it would have set the public opinion of this country at defiance; it would have said "this difficult question was settled in 1841; whether right or not, that act was the settlement of a question that had long agitated the country; and, that come what would, it should not be disturbed." That, however, is the very reverse of the language of the despatch, which in reality invites this Parliament to make propositions for a satisfactory settlement. He came, then, to a point he had advanced on a former occasion--in the debate on the address; and he had no hesitation in saying that further legislation is necessary even on the showing of Her Majesty's Government. The idea that the present settlement can be maintained is abandoned by every one; and no person of common intelligence in England believes that it can be maintained.⁴⁵ It was plain that the Imperial government was not prepared to adhere to the present arrangement, and indeed this was now admitted by the hon. member for Toronto himself. Then turning to the Catholics of the House he appealed to their common sense, and asked whether they had any other support for their Clergy than what came from Catholics--whether they came to Protestants to pay any part of the support of the Catholic Clergy. That being so, and it being admitted by all intelligent persons that the present arrangement could not be maintained, he asked what change should be effected?⁴⁶ What course is the Legislature to take? Is the House going to proceed by address? If not, what other mode can be devised? He had looked into the Resolutions of the member for Toronto (Mr. Boulton) and had failed to discover any scheme for the settlement of the question; but he did discover that the hon. gentleman wished to put the whole matter at the disposal of the British Parliament, and to induce them to form the opinion that two millions of people in this country are not capable of managing their own affairs. Was that the kind of argument used last night by gentlemen on the opposite Bench? Was it consistent with the argument used by the member for South York in connection with his scheme for rendering some trumpety

offices elective? He said "trumpery," because it must be apparent to every one that the proposition which that gentleman submitted to the House sinks into utter insignificance beside this great question of the Clergy Reserves. Gentlemen could not, consistently with the views then expressed by them, take such a line of argument with respect to this subject. He should like to see those gentlemen stand up, and make an avowal so degrading to the people of this country--to say that when the settlement of 1841 is altered it cannot be done by the Parliament of this Province, but must be done with the Parliament of Britain. That is the position really assumed by these gentlemen; and they say that if the settlement is not altered by the English Parliament, they would rather see the Act of 1841 remain untouched; they say that in the face of their own admissions that it cannot be retained, and in the face of the numerous propositions put forward by their party press for a new settlement! Gentlemen might patch up a settlement in accordance with some of the propositions, if they had their own way, but it would be a mere piece of patch-work, unsatisfactory to the great majority of the people, and especially prejudicial to the interests of those denominations which they are anxious to protect. It is not for the interest of those denominations that the question should remain unsettled, and most certainly it is not for the interest of the community, or the public peace, that it should remain open. The question must be settled for ever, and there is only one way of doing it. He had taken that course, and felt very little doubt that it would meet with the sanction of the House. Gentlemen might stigmatize his resolutions as too violent; but he could see nothing in them inconsistent with the strongest feelings of loyalty to the Sovereign. He would say further that there is no man in the House, or in the country, who entertains more profound feelings of loyalty to his Sovereign, and attachment to the mother country than he does; holding these feelings, he viewed with alarm the possibility of a collision between the Parliament of the Province, and the Imperial Government on this question. The resolutions were firm in tone, it is true, but no one can say that they go beyond the actual state of feeling in the country, in the slightest degree.

With these observations, he would move the adoption of the first resolution.⁴⁷

MR. BOULTON after some remarks on responsible government and the position of the ministry, referred to an Address of Mr. Price, passed in 1850 on the subject of the Clergy Reserves, which was forwarded to the Queen by the Governor General, who took the occasion of writing his despatch, to declare, that he deeply regretted the revival of the agitation of that question. Now, he did not believe that under responsible government the responsibility of the ministry could be separated from the head of the government, as he acted through his cabinet. He believed that in such circumstances a ministry in England would have resigned.⁴⁸

MR. INSP. GEN. HINCKS said Mr. Price's resolutions were not passed on the responsibility of the Cabinet, but they were introduced by that gentleman as an independent member.⁴⁹

MR. BOULTON continued, and stated that he believed the views of his Excellency⁵⁰ sur cette question⁵¹, had not changed, and that he entertained still the same views which he communicated to the imperial government, in 1850. That opinion of his excellency he believed was the reason why the Governor General had refused to express "deep regret",⁵² dans le discours du trône⁵³, at the language of the Colonial Secretary. He read a resolution, which he intended to move, which alleged that the House should be made aware of the views of the

government as a government, upon the final disposition of the Reserves. He asked the government to make known their views. No they would not, because there was division in the cabinet on the subject, and he would state his reasons for believing so. The Inspector General had stated distinctly upon the floor of the House that he was in favor of the secularization of the Reserves--why not state that in the resolutions? He read from a letter of Mr. Hincks to Sir J. S. Pakington, in which he stated that the longer the settlement of the Reserves was deferred the worse it would be for the interests of the Church of England. Why did the Inspector General state that? Was it because he intended to protect the interests of the incumbents? That was the inference from his language; it meant nothing but that; yet the hon. member would not get up and state on the floor of that house that he intended to protect the interests of the incumbents, because that would not suit the extreme views expressed by his colleagues from Norfolk and Huron,⁵⁴ MM. Rolph et Cameron⁵⁵, and the radicals of Upper Canada. After some farther remarks he moved the following resolutions in amendment:--⁵⁶

(144)

Mr. Boulton moved in amendment to the Question, seconded by Mr. Gamble, That all the words after "That" to the end of the Question be left out, in order to add the words "His Excellency the Governor General in his Despatch to Earl Grey, of July 19th, 1850, accompanying the Address of the Provincial Legislature on the subject of the Clergy Reserves, (embodying certain Resolutions introduced by the Honorable James Hervey Price, then a Member of the Government and colleague of the Honorable Francis Hincks,) declared that he deeply regretted the revival of agitation on this subject, of which he said Lord Sydenham had truly observed that it had been in Upper Canada, the one all-absorbing and engrossing topic of interest, and for years, the principal cause of the discontent and disturbance which had arisen, and under which the Province had labored:

"That since the expression of the above language by the present Governor General, he has not enunciated or communicated to Parliament any opinion that it is desirable to revive the agitation, or in anywise legislate on this subject, which has heretofore produced such discord, strife and hatred in this Colony:

"That in the absence of any change of sentiments on this all-important subject, and of any recommendation from His Excellency that it should again occupy the attention of Parliament, it is right to infer, that His Excellency's views thereon, as expressed in the above mentioned Despatch, are unchanged:

"That this House has therefore the right to assume, that on this all-important subject there is a difference of opinion between His Excellency the Governor General and his present Advisers, as to the policy of "reviving agitation on this subject," which the re-opening of a Parliamentary discussion thereupon must inevitably produce:

"That under our present system of Responsible Government as introduced into and carried out in this Province, the power and responsibility of the Executive Council cannot be dissevered from that of the Sovereign's Representative:

"That the Representative of Her Majesty in this Colony acts through his Cabinet, who are responsible to Parliament for the acts and measures of the Head of the Government; and that being incumbents of office by their own consent, they must be held as bound to defend and support in Parliament the acts and measures of the Head of the Government:

"That before discussing the Resolutions on the subject of the Clergy

Reserves proposed by the Honorable Francis Hincks, this House should not only be made aware by the Government of their views, as an Administration, as to the final disposition of these Reserves, but also be informed whether the Cabinet in introducing these Resolutions has the countenance and support of the Head of the Government, or whether the Governor General's expressed opinion deprecating any renewal of agitation on this vexatious subject still remains unchanged."

Previous to the vote being taken on the several resolutions in amendment, MR. BROWN said that it appeared to him to be altogether unnecessary,⁵⁷ [and of] no use to vote the 7th resolution⁵⁸, as the fact of the Inspector General coming down to the House with his resolutions was, in itself sufficient proof that the Governor General is with him⁵⁹. [OR] It was understood that the Governor General disapproved of the resolutions because they had been brought down on the responsibility of the Government.⁶⁰ While he was up, he would take the opportunity of expressing his entire dissent from the doctrine enunciated by the Inspector General with regard to His Excellency's despatch to the Home Government. That gentleman stated that, at the time the despatch was sent, the Government had formed no opinion on the subject of the Clergy Reserves, that therefore they were not responsible; but he denied the constitution of such a doctrine; he maintained that the despatch contained an expression of the views of the Government, and that the Inspector General and all his colleagues were responsible for every word it contains. He must confess his surprise at hearing the leader of the Government in that House affirming that the Governor General would send home a despatch on the affairs of this Province without the Ministry being held responsible for the contents.⁶¹

(144)

And the Question being separately put on the first four paragraphs of the said Amendment; the House divided on each; and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Dubord, Egan, Gamble, LeBoutillier, Lyon, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Street, Willson and Wright of West Riding of YORK.--(22.)

(145)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Clapham, Attorney General Drummond, Fergusson, Fortier, Gouin, Hincks, Langton, LaTerrière, Laurin, McDonald of CORNWALL, Mackenzie, Mattice, Merritt, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Rolph, Attorney General Richards, Rose, Stuart, Taché, Terrill, Valois, Viger, White, Wright of East Riding of YORK, and Young.--(37.)

So it passed in the Negative.

Then the Question being separately put on the subsequent paragraphs of the said Amendment; the House divided on each: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Dubord, Egan, Gamble, LeBoutillier, Lyon, Macdonald of KINGSTON, Malloch,

McDougall, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Street, Willson and Wright of West Riding of YORK.--(23.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Gouin, Hartman, Hincks, Langton, LaTerrière, Laurin, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, Merritt, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Attorney General Richards, Rolph, Rose, Stuart, Taché, Terrill, Valois, Viger, White, Wright of East Riding of YORK, and Young.--(41.)

So it passed in the Negative.

MR. BOULTON rose and said that a majority of members from Upper Canada had voted against the Government. (Hear, hear.)⁶²

MR. DIXON contended that carrying on the Government by the ministry in opposition to the views of the head of the Government he could not understand. It was the worst kind of Democracy.⁶³ [He] said there was some discrepancy in the matter, which he would wish to see cleared up. The member for Kent affirmed that the Executive Council are responsible for every item contained in the Governor General's despatch, and yet the Ministry had just negatived the fifth resolution of the member for Toronto which affirms that the responsibility of the Executive Council cannot be dissevered from that of the Sovereign's representative. If the Ministry accepted the statement of the member for Kent as sound exposition of constitutional doctrines, it was very singular that they should put a most decided negative on it a few moments before. (Hear, hear.)⁶⁴

After a mistake had been corrected in the yeas and nays, MR. INSP. GEN. HINCKS said there was a majority from Upper Canada [sic] in favor of the Government.⁶⁵

(145)

And the Question being again proposed, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;"

The first resolution of Mr. Hincks was read by MR. J. S. MACDONALD the SPEAKER, when--⁶⁶

MR. ROSE said it was with some considerable degree of diffidence that he attempted to address the House on this important subject.--That diffidence, did not arise because he had any doubts as to the right of the Legislature of Canada to settle this question--nor was he at any loss to know how the County of Dundas, nor even the Province of Canada, wished this matter disposed of; but, he did feel a delicacy, being a young member of that honorable body, and knowing as he did that that subject had been ably discussed by statesmen of the first class--men of experience, education, talent, and general information, to which he made no pretensions. But, notwithstanding this subject had been so ably discussed on the floor of this House, the County he had the honor to represent had not of late years been heard with regard to it. It so happened that he was in the gallery in 1850, when this subject was under consideration for several days in Toronto, and though he listened very attentively he did

not hear one word from the gentlemen who in that Parliament represented the County of Durham. He therefore claimed the attention of the House while he made a few remarks. And in the first place, he would say a few words as to the right, the undoubted right, in his humble opinion, of the Canadian Legislature to deal with this question. And in doing so, he should go back to the foundation--the Imperial Act of 1791, in which is our Constitution, which sets apart these Clergy Reserves, (the hon. gentleman here quoted from the statute above referred to) by which the Colonial Legislature are empowered to "vary or repeal" this provision. Now, he maintained, and he challenged any hon. gentleman to show to the country, that this very Act gives the fullest and clearest possible right and power to appropriate these reserves to any purpose they may think proper. What words, he would ask, (and let hon. gentlemen opposite show, if they could,) what words, he repeated, could the framers of that law have introduced that would set the authority of the Provincial Parliament to settle this question in their own way, than is given in the words of the Statute he referred to? "Vary"--that is to apply them to any other purpose they, the Parliament, may think best. "Repeal"--to do away with the provision altogether.⁶⁷ [He] did not believe that the people of England would refuse to Canada the right to legislate upon the Clergy Reserves⁶⁸. This view of the question had always been maintained by the Legislative Assembly of Canada, who, for a series of years, by very large majorities, and in some instance almost if not entirely unanimous, passed Acts disposing of these Reserves for educational purposes, and whose laudable exertions were thwarted by the irresponsible system of Government then prevailing in this country--a system which has long since been exploded, and which was now admitted on all hands to have been incompatible with a representative form of Government.⁶⁹ He would have no confidence in the honesty or intelligence of any man who stated, that the people did not desire to have the reserves secularized. That fact was proved by repeated votes of the legislature.⁷⁰ Mr. R. here quoted from the journals of the Canadian Assembly to prove his position. And he was happy to know that the doctrine that this question was purely a Canadian one, and that they and they only had the right to dispose of the same, had been admitted, and even enforced by English statement of the first class and of the highest standing in the mother country; for proof of this we have only to refer to every despatch received on this subject from successive Colonial Secretaries for the last 20 years. This being a fact well known, he would not take up the time of the House to quote from more than one or two of those documents.--The hon. member here read the following:

"Lord Glenelg, in a despatch to Sir Francis Bond Head, dated, Downing Street, Dec. 5, 1835, after laying it down as a general rule that 'Parliamentary legislation on any subject of exclusively internal concern, in a British Colony possessing a representative Assembly is unconstitutional,' says:--

"The second ground on which I found myself bound to abstain from advising her Majesty [sic] from referring this question immediately to Parliament, is, that the authors of the Constitutional Act have declared this to be one of those subjects, in regard to which the initiative is expressively reserved and recognized as falling within the peculiar province. I think, therefore, that to withdraw from the Canadian to the Imperial Legislature the question respecting the reserves, would be an infringement of that cardinal principle of colonial government which forbids Parliamentary interference, except in submission to an evident and well established necessity."

"Sir Geo. Grey went even farther than this: he not only admitted that the Imperial Parliament had no right to legislate on the question, but that it had no right to dictate any terms of settlement to the Provincial Legislature.

In a letter to Sir George Arthur, dated, Downing Street, Dec. 29, 1837, Sir George states, "that Her Majesty's Government would willingly concur in any settlement of it (the Clergy Reserve question) which the two branches of the Colonial Legislature concur in adopting;" and, having hinted that a particular mode of settlement would be agreeable; goes on to disclaim on the part of Her Majesty's Government "the wish or intention to insist on any condition as indispensable to an adjustment of the question;" on the ground that such an interference on the part of the government with the functions of the Provincial Legislature, would, as his Lordship (Lord Glenelg) apprehends, tend to create a not unreasonable suspicion of the sincerity with which the Legislature had been invited to the exercise of the power reserved to them on this subject by the Constitutional Act of 1791." In Sept. 1849, the year previous to the passing of the Imperial Act, Lord John Russell, in a Despatch to Charles Poulett Thompson, lays down the following constitutional doctrine, supported by the deliberate opinion of the law officers of the Crown:

"Parliament delegated to the local Legislature the right of appropriating the Clergy Reserves; and the effect of the bill (a bill sent home) is to re-transfer this day from the local Legislature to Parliament, with a particular restriction. I am advised that this is not an unconstitutional proceeding."

Now he (Mr. Rose) did maintain that it was in direct contravention of the constitutional principles thus repeatedly and authoritatively pronounced, that the Imperial bill of 1840 was passed. And he put it to any and every hon. gentleman on both sides of the House, possessing one spark of Canadian feeling, no matter what view they may hold as to the way in which the proceeds of these Reserves are to be disposed of--whether for religious or for secular purposes--he asked hon. gentlemen as Canadians (and when he said Canadians, he meant all of every origin who have made Canada their home,) whether they dare record their votes against a resolution which declares that the Provincial Legislature have the right to dispose of these Reserves. Some hon. gentlemen opposite thought that the resolutions proposed by the hon. Inspector General were too strong; but in fact they contain a declaration of "Independence," or of "rebellion." Now after a careful examination of these resolutions, he found no just grounds for such opinion; they were couched in respectful but firm language and he had no fears but England would, ere long, concede on what we asked. And he also held that we should, as Canadians, fearlessly express our opinions on this subject, entirely independent of what might be the effect in England⁷¹.

"Hear, hear," from the opposite benches.⁷²

MR. ROSE [continued:--] Hon. gentlemen might cry "hear, hear,"--he meant that they should hear; and it would be well for them could they so speak as well as hear. Were we to be told that by firmly contending for our undoubted and undeniable rights, it would lead to a separation from the mother country? He believed that so far from leading to such a result, it would have precisely the contrary effect. It was fresh within his recollection that a time was when we were told this same story with respect to another matter, and one which was now admitted on all hands to have done more to cement the bonds of union between us and England, than any other matter or thing--he need hardly say that he alluded to Responsible Government. Such was the fact. And let him here say, that if any one circumstance more than another had contributed to the well-merited and general popularity of the distinguished head of the Government in this Province, Lord Elgin, it was his constitutional, his

honest course in carrying out and perpetuating a system of Government dear to the hearts of Canadians. Now, having shown most conclusively that this was purely a Canadian question, and that this House had the right to settle it--a right distinctly admitted by the Imperial authorities--he proceeded to give his views as to the best mode of disposing of, or appropriating, the proceeds of those Reserves. He (Mr. Rose) said--that although they were not called upon by the strict wording or phraseology of the resolutions before the House, to declare what use they intended to make out of these Reserves, when they got the power to legislate upon them--nor was it expedient to do so; in those resolutions we were only asking for what was our own, and could not reasonably be required to say what we intended to do with our own property,--yet he (Mr. R.) had no objection to give his views as to the best and most satisfactory mode of disposing of them when we got that power. Hon. gentlemen opposite appeared extremely anxious that the Administration should declare in express views their views on this head; but was it because they agreed to the principle of secularization as expressed by the gentlemen on the treasury benches in their places. No; it was well known what was their object: it was that they thought to make political capital out of it; but he (Mr. Rose) had no fears on that score, if the wishes of a vast majority of the people of Western Canada were carried out. And if any hon. member were to state that the people of Upper Canada were not in favour of secularization, he (Mr. R.) was forced to come to this conclusion--either that he was ignorant of the state of public opinion there, or that he was not an honest man. For that opinion had been repeatedly expressed through their Parliament by overwhelming majorities, as well as by the public prints and by petition. And in this opinion he (Mr. R.) fully concurred. And he had not arrived at this opinion hastily or without consideration--nor was he hostile to the Church of England or any other church; but held that the Church of England, as well as all others, would best consult their own interests by at once and forever relinquishing all connection with, or support from, the State, as churches. Let the thing have a fair trial, and he, for one, had not the least doubt but that any and every church that made the trial would be convinced and admit ere five years had passed, that it was their best course; in fact, their interest in the most comprehensive sense of the term. And he would here say, that in this particular, he believed he was correct in stating, many members of the Church of England concurred. Yes, that particular church (the protestant episcopal church) will never occupy the exalted position which she is entitled to by the learning, zeal and piety of her clergy, and the wealth, intelligence and respectability of her laity, until she does so, and depends (under God) on her own exertions and not on Clergy Reserves or State support.--Hon. gentlemen might tell him (Mr. R.) that the church would be "ruined;" that "religion could only be upheld by State endowment;" but the history of England--nay, the history of the world--proved the utter fallacy of this doctrine. The interests of religion stand upon a surer foundation; they rest upon the arm of Omnipotence. That God who said to his Apostles, "Go ye into all the world and preach the Gospel to every creature," and added, "Lo, I am with you unto the end of the world," will take care of his own church of every name. He (Mr. R.) held that all money expended by the State in endowments, was lost, and worse than lost. We had only to look into the history of the past to arrive at this conclusion. Mr. Rose here read the following from a late work by Judge Marshall on the state of England in the present day:--

"It is difficult to get an exact estimate of the total revenues of the English Church. The Tithe Commissioners reported some time ago, that the tithes

uncommuted amounted to £5,000,000 a year; and the tithes commuted to £1,480,000; making a gross sum of nearly Six and a Half Millions, sterling. And if the tithes yet uncommuted, he rated at the same value as those commuted, the annual income of the clergy, from tithes alone, will amount at least to eight millions, sterling, a year. There are also the charitable foundations of England; most of which are in the hands of the clergy. The Royal Commissioners on public charities, shewed that the revenues from these sources, now mainly under the controul of clergy,--amounted to nearly three millions a year." By this statement, is only meant, that by the management of those institutions, and their revenues, by the clergy, some emolument is derived and received by them, in addition to their income from tithe, and other sources.--Next, "there are the professorships, the fellowships, tutorships, masterships, &c., in the Universities." Of these situations the clergy, chiefly, have the possession. "The revenues of Oxford and Cambridge, amount to no less than £471,000 yearly; then there are the surplice fees; fees for the consecration of burial grounds; preacherships; lectureships; chaplainships; chapels of ease; Easter dues; christening fees; marriage fees; burial fees; episcopal revenues; revenues from lands, and numerous other sources;--all of which have to be added to the revenue from tithes, and which if added together, will form a total of certainly not less than ten millions per annum. The items may be classified as follows:--

Church Tithe, estimated at	£ 8,000,000
Income of the Bishoprics, (according to the Bishops.)	206,047
Estates of Deans and Chapters	494,000
Glebes and Parsonage Houses	250,000
Perpetual Curacies	75,000
Benefices and Parochial	82,000
Church fees, on marriages, christenings, burials, &c.	500,000
Obligations, offerings, and compositions for offerings	80,000
College and School foundations	682,150
Lectureships in towns and populous places	60,000
Chaplainships, and officers in public Institutions,, (very much underrated at New Churches and Chapels)	10,000
	94,050
	£10,483,694 73

In one sentence it may be stated, that the clergy of the English Church alone, divide among them, more money than the State Clergy of all the rest of Europe, put together."

(The hon. gentleman again read from the same work the following extract):

"The reverend author of the prize Essay on juvenile depravity, in describing the condition of the lower class in the metropolis, and in the manufacturing towns, employs the following graphic and forcible language--'The real condition of many parts of such localities, is not merely barbarism and heathenism; it is what is worse,--a scene in which a knowledge of religion is only proved by blasphemy.'"

"In a report of the proceedings of one of the religious missions for London, published a few years ago, it was stated that--'in one district which was visited, of the whole number of 138 families, only two of them ever attended any place

of worship; and in another district, of the 540 families residing in it, scarcely more than the odd 40 ever gave such attendance.--In one court, consisting of 60 families, or about 300 persons, it could only be ascertained that four families, or about 20 persons, attended any place of worship, while only eight possessed the scriptures. Of 11,371 families, visited by the missionaries, during the first eight months of the mission, 3505 were found to be without a Bible in the house. Assuming five persons as the average number of each family, the total number thus visited will amount to 56,855 persons; of whom 17,255 never read, nor hear read, the word of God; and are, in all probability, as ignorant of its general contents as of the statute book of the realm!' Doubtless, those districts were not worse, as to the particulars mentioned, than many others in the city. In one extensive English work, which is highly recommended, there is the following passage on this point--'The religious state of the masses thus sunk into the vortex of indulgence, and the state of those rising up to take their places, is the true 'Condition of England': Five hundred thousand, or half a million of the inhabitants of London, it is estimated, live without any profession of religion, never attending a place of worship from the beginning to the end of the year!'"

Now if England--Protestant England--after expending her millions annually in church endowments, is at this day in a greater degree (in comparison to the population) in a state of religious destitution than other countries where no state provision is made, then it must be obvious it would be, to say the least, impolitic for us in Canada to perpetuate such a system.--Yes, if it be true, as laid down in the work I hold in my hands--and I presume hon. gentlemen opposite will not deny but that the authority is good, taken as it is from works written by Englishmen themselves, and by the clergy of the established church,--if it be true that the state here described does exist, then it is very poor encouragement for us to either establish or perpetuate such a system, which has produced such lamentable consequences. He (Mr. Rose) might go on until midnight reading extract after extract to the same purport; but he would not trespass on the patience of the House. Hon. gentlemen could and no doubt had read for themselves at their leisure. And what was the conclusion we must arrive at? He (Mr. R.) did not take it on himself to state that it was because this great expenditure of the public funds had been made that this state of things did exist; but he did say, and who could say against it, that such was the fact, and it was that we had to deal with. And the conclusion was forced upon us, that the immense sums of money lavished on the church in England had not produced the desired effect; and that England had not, after all she had expended, afforded religious instruction to her own people in the same proportion that other countries have done where no State endowments existed. And was it not fair to judge of causes by their effects? He (Mr. Rose) thought this was the true way to try them. And we had seen what had been the effect in England; and the most superficial observer must have witnessed the same in every country where the same course had been pursued. And who could deny that the state of England, as it regards religious instruction, would be far worse than it now is--bad as it has been shown to be by churchmen themselves--were it not for the voluntary principle acted upon to a very great extent there? This was a fact that could not be controverted. On this head he would not enlarge; but merely say that England is indebted at the present day, for a great part of her religious instruction, to voluntaries. But stronger ground was taken by some--and in his (Mr. R.'s) opinion successfully taken--than the mere waste of money. It had and could be shewn that many serious evils had grown out of this connection between Church and State--a connection which had been termed, and justly termed, an "unholy connection."

And he would here draw the attention of the House to history again on this head, in which the author, Mr. Macaulay, in his History of England, makes the following very striking declaration. The author was treating (if his memory served him) of the time when Charles II was restored to the kingdom of Great Britain--a time when the connection between Church and State was at its highest pitch. (The hon. gentleman here read the following extract from Macaulay's History of England):--

"While these changes were in progress, a change still more important took place in the morals and manners of the Community. Those passions and tastes which, under the rule of the Puritans, had been sternly repressed, and, if gratified at all, had been gratified by stealth, broke forth with ungovernable violence as soon as the check was withdrawn. Men flew to frivolous amusements and to criminal pleasures with the greediness which long and enforced abstinence naturally produces. Little restraint was imposed by public opinion. For the nation, nauseated with cant, suspicious of all pretensions to sanctity, and still smarting from the recent tyranny of rulers austere in life and powerful in prayer, looked for a time with complacency on the softer and grayer view. Still less restraint was imposed by the government. Indeed there was no excess which was not encouraged by the ostentatious profligacy of the king and of his favourite courtiers. A few counsellors of Charles the First, who were now no longer young, retained the decorous gravity which had been thirty years before in fashion at Whitehall. Such were Clarendon himself, and his friends, Thomas Wriotbezley, Earl of Southampton, Lord Treasurer, and James Butler, Duke of Ormond, who, having through many vicissitudes struggled gallantly for the royal cause in Ireland, now governed that kingdom as lord lieutenant. But neither the memory of the services of these men, nor their great power in the state, could protect them from the sarcasm which modish vice loves to dart at obsolete virtue. The praise of politeness and vivacity could now scarcely be obtained except by some violation of decorum. Talents great and various assisted to spread the contagion. Ethical philosophy had recently taken a form well suited to please a generation equally devoted to monarchy and to vice. Thomas Hobbes had, in language more precise and luminous than has ever been employed by any other metaphysical writer, maintained that the will of the prince was the standard of right and wrong, and that every subject ought to be ready to profess Popery, Mahometanism, or Paganism at the royal command. Thousands who were incompetent to appreciate what was really valuable in his metaphysical speculations, eagerly welcomes a theory which, while it exalted the kingly office, relaxed the obligations of morality, and degraded religion into a mere affair of state. Hobbism soon became an almost essential part of the character of the fine gentleman. All the lighter kinds of literature were deeply tainted by the prevailing licentiousness. Poetry to be the pendar [sic] of every low desire. Ridicule, instead of putting guilt and error to the blush, turned her formidable shafts against innocence and truth. The restored Church contended indeed against the prevailing immorality, but contended feebly, and with half a heart. It was necessary to the decorum of her character that she should admonish her erring children. But her admonitions were given in a somewhat perfunctory manner. Her attention was elsewhere engaged. Her whole soul was in the work of crushing the Puritans, and of teaching her disciples to give unto Caesar the things which were Caesar's. She had been pillaged and oppressed by the party which preached an austere morality. She had been restored to opulence and honour by libertines. Little as the men of mirth and fashion were disposed to shape their lives according to her precepts, they were yet ready to fight knee deep in blood for her cathedrals and palaces, for every line of her rubric, and every thread of

her vestments. If the debauched Cavalier haunted brothels and gambling houses, he at least avoided conventicles. If he never spoke without uttering ribaldry and blasphemy, he made some amends by his eagerness to send Baxter and Howe to gaol for preaching and praying. Thus the clergy, for a time, made war on schism with so much vigour that they had little leisure to make war on vice. The ribaldry of Etherege and Wycherely was, in the presence and under the special sanction of the head of the Church, publicly recited by female lips in female ears, while the author of the Pilgrim's Progress languished in a dungeon for the crime of proclaiming the gospel to the poor. It is an unquestionable and a most instructive fact, that the years during which the political power of the Anglican hierarchy was in the zenith were precisely the years during which national virtue was at the lowest point."

Now, if such had been the effect of Church and State connection in England, should we not take lessons from her history; should we set up in this Province a system so pernicious in its consequences [sic], and above all so repugnant to the well known feelings of the people?--Honble. gentlemen opposite may taunt us on this side of the House, and say we "do not want this question settled"--that we wish to keep this subject as a "hobby to ride into parliament on"--but he (Mr. R.) denied that such was the fact.⁷⁴ He did not remember that the reserves had been made a test question at the hustings in his county, for the last 20 years, except at the last election, when it was forced upon him by his opponents.⁷⁵ Have not the reformers of Canada always manifested a disposition to settle this question, and have not hon. gentlemen opposite always opposed such a settlement as the people desired,--and they only are accountable for the present agitation; for, only for their opposition, this matter would long since have been set at rest in accordance with the wishes of the people. What though some do ride into parliament on this question, and it is an instructive fact that hon. gentlemen opposite will do well not to lose sight of, that some have rode [sic] out of parliament on account of their opposition to the secularization of these Reserves; and in both cases it only proves that the people take a warm interest in this question. He could tell honble. gentlemen that in the county he had the honor to represent, some conservatives of high standing were perfectly with him on the principles of the secularization of those lands--one gentleman in particular, who was strongly spoken of as the Conservative candidate, and who boasted that if the other candidates on his side would only step out of his way, that he would "ride into parliament on this very question." He (Mr. R.) mentioned this fact to show that Conservatives themselves--many of them--are convinced that no other settlement will satisfy the people, and indeed the same thing had been declared during this debate, and by Conservative Churchmen too.⁷⁶ He believed that if the Clergy of United Canada depended on their flocks, they would stick to their calling and not care whether A. B. or C. was returned to that House. He was sorry to see the Church of England placed in the position in which she was, and was sure she would never take her proper rank till, giving up these reserves, she depended on her own flock for her support.⁷⁷ He (Mr. Rose) went for the secularization because, as he had shown, the connection between Church and State, tends to evil, and only evil, and that continually; and because too, that it was a waste of money--yes, a waste of our public funds.--He was convinced of this, not only from the perusal of history, but from actual observation. In the county of Dundas there was a population, according to the last census, of 13,811--2,743 of whom are put down as belonging to the Church of England; 2,926 Presbyterians; 1,527 Lutherans; 2,055 Roman Catholics; 3,059 Wesleyan Methodists; 1,007 Episcopal Methodists; and 287 Baptists--other denominations but small comparatively. Now, the only Church in receipt of any considerable amount of state pay is the first named, the Church of England, whose clergyman

(there being but one in the county)⁷⁸, with the richest congregation,⁷⁹ receives, he believed, about £200 cy. per annum⁸⁰ from the public purse⁸¹. Now, from his own knowledge, he believed he was correct in stating, that the clergymen not in receipt of government pay were as well off, and as well provided for as the one above referred to; and the members of that church are fully as able (and he believed would be just as willing too, were the system changed) to pay their own clergymen as any of the others. Hence he arrived at the conclusion that the money is thrown away.⁸² He held that the Clergy Reserves were not vested rights at all, except as they were vested in the people of the Province, and contended that to apply the money to educate the children, would tend to raise the character of the common schools, and release the parents from the necessity of large payments for schooling, which might then go to their ministers.⁸³ And again he had the authority of the Roman Catholic clergyman to say that he does not "wish for State pay," that he would rather "trust to the free will offerings of his flock."⁸⁴ He had been told by the Catholic Clergyman in his own county that he might tell the Parliament to cut off the pittance he now received from the Reserve fund.⁸⁵ And he (Mr. Rose) believed this to be the sentiment of all; then why force on to the people that [which] they do not want?⁸⁶ He repudiated the attempt to alarm the Catholics on the subject of their religious estab[li]shments, and declared that he believed the gentlemen of the fourth estate, who had ridiculed him, would do him good, but at the same time that they had desecrated their calling by doing so.⁸⁷ Now, with regard to the Church of England in the County he represented, they have, as above stated, 2,743 members, these divided by 5, which might he thought be fairly taken as the average of a family, will give 548 families, and these generally the most wealthy. Now if each of these families would pay their clergyman 20s. per annum, he would receive £548 in place of £200, which he (Mr. Rose) had laid his salary at, as now paid from the public funds--and would he not be the gainer? But some would say "many are poor and cannot pay," admit it; and let the rich contribute according to their riches, and that will make up for the poor. And there are those who are able, and he had no doubt, willing too, if once brought into the work, to pay five times the sum he had laid down, and one of them would relieve four poor families. Why he had known men, members of the Lutheran Church, (who were a respectable class in the same county) pay as high as 50s. per annum to their clergymen; and they did not want any government aid--all they asked was equality--and did not Methodists hold the same doctrine?-- But some will say you wish to "rob the churches." Now he (Mr. Rose) contended we do no such thing, unless it can be shown that the clergy, irrespective of their congregations, are the churches; but if the people are the churches, and they receive the money for education, then there is no robbery. And then, when this fund is appropriated, as he believed it would be, to education, and the people relieved from taxation for this purpose, they would willingly and cheerfully pay the clergy of their choice; and thereby a bond of union would be cemented between the pastor and his flock that never could and never would exist when they are paid by the State, and by that means rendered independent of the people. Besides, it promoted industry in the clergy to have them depending on their flocks for their living.--We would not have a political priesthood when they were dependent for their support on their flocks and not on the State. They had heard on the floor of that House, during the few days they had been together, of violent proceedings on the part of the preachers of the Gospel during the late elections; much so that one hon. member, the member for Essex (Col. Prince) had introduced a Bill to prevent its recurrence, and had given us a flaming speech on the conduct of what he was pleased to term the "sable" gentlemen. Now he (Mr. Rose) should take this opportunity of saying, that however much he might be opposed to an unseemly dabbling in politics by clergymen, yet he was

more opposed to the hon. gentleman's Bill of proscription, and should give it his decided opposition; and should do so even though the clergy had conducted themselves tenfold worse than that hon. gentleman had represented them; and for this reason:--they were citizens, and should not be disfranchised any more than any other class; they paid taxes in common with others, and had an undoubted right to vote and to offer suitable advice to their people, even in political matters. But, although young in parliamentary practice and experience, and not claiming a tithe of the ability and learning of that hon. gentleman, (Col. Prince) of whom by the way, he (Mr. Rose) had a very high opinion, yet he should take the liberty of offering him a word of advice, and he hoped he would not be offended. And that was, to abandon his Bill of proscription and go with them in that and kindred measures, until the clergy of Canada should not have a vestige of State pay--until they should depend for their support entirely on the free-will offerings of their flocks; and then he (Mr. R.) would go their bail that they would give themselves very little trouble about politics, and the hon. gentleman's Bill would not be required. But we are told it is not right to alienate those lands from the original purpose, for which they were set apart, and yet we have not only the authority of gentlemen opposite, but what is more, the authority of the Imperial Parliament, for a greater and wider alienation than the one we propose: for by the late settlement as it had been termed, a part of the proceeds of what was designated for "the support of a Protestant Clergy" was given for the support of that church against which she protested. Now, he, (Mr. R.) maintained that this was a greater, a wider alienation from the original intention of the donors, than it was to appropriate them to educational purposes: if he (Mr. R.) could ever be brought to sanction the division scheme, he would not consent to any division scheme for religious purposes that did not give to Roman Catholics their full share, according to their numbers. He had mentioned this fact to show the fallacy of the ground taken by these gentlemen, against alienation, when they themselves wish to perpetuate [sic] the same thing but in a greater degree. And if it be true, and he believed it could not be denied, that education is the handmaid to religion, then by appropriating them to that object we came the nearest that we possibly could under the circumstances, to the original intention of the grantor. Holding these views, and believing that the course now being pursued by the government was the one best calculated to bring about what he (Mr. Rose) desired, he should most cordially give his support to the resolutions before the House, and when the proper time came he would vote for any measures that might be introduced for disposing of these Reserves, and applying the proceeds to general education. Before he sat down, he must say one word to the members for Lower Canada with regard to the threats that had been made respecting their church property: he could well understand the object of these threats, and would just say to these gentlemen that they had nothing to fear, that the tenure by which they hold their church property, if he understood the question, and he thought he did, was entirely different from that of the Clergy Reserves, and he for one--and he believed he spoke the sentiments of the Upper Canada Reformers generally,--had no disposition to meddle with the "vested rights" of Roman Catholics or any other church.--Thanking the House for their attention, he should resume his seat.⁸⁸

MR. ROBINSON began by assuring the hon. member who had just sat down that he felt no want of respect for him on account of his want of education, and then proceeding [sic] to read, the opinion of Sir. J. Pakington, given some time ago, to the effect that the present settlement of the Reserves ought to be considered as final.⁸⁹ Since 1840, when this question was considered to be completely

settled nothing was ever heard of it except on the eve of a general election. A cry was then raised and an agitation revived, by some hon. gentlemen opposite who desired to have an electioneering party cry. The question was long considered to have been completely settled: that is evinced by the speeches and resolutions in the Houses of Legislature and elsewhere.⁹⁰ He thought that was also the opinion of the people of Canada, for the question had for a long time never been disturbed.⁹¹ The subject was dead and buried in Upper Canada and would never have been heard of again if it were not for the want of a subject for agitation. The Inspector General spoke of the Act of 1841, as though he considered it an invasion of Canadian rights; but the Inspector General appeared to have forgotten that the Imperial Parliament did not voluntarily pass that Act; that it was forced on them, and that they only consented at the urgent solicitations of the Canadian people. The Inspector General had also argued that opposition was made in his resolutions because gentlemen on the opposition benches were afraid to trust the Canadian Legislature, but that was not the reason. The opposition came from his (Mr. Robinson's) side of the House solely because they were opposed to disturb an Act which had been made with the consent of a Canadian Parliament quite as competent as the present one, after a long and violent agitation.⁹² He should perhaps, have little objection to the⁹³ Clergy Reserve question⁹⁴ being settled by the Parliament of Canada⁹⁵, if it were a new one, or if the question were before the Legislature; but he was unwilling to expose the country to a renewal of the agitation, because⁹⁶ he knew well that it would no sooner be arranged by them, but another outcry would be raised against that arrangement.⁹⁷ He foresaw that it will be attended with as much difficulty as ever, and that an intestine [sic] struggle might go on for another twenty years.⁹⁸

MR. INSP. GEN. HINCKS.--There would have been no difficulty in settling it in Upper Canada, if there had been a constitutional Government there.⁹⁹

MR. ROBINSON understood the gentleman's allusion. He meant that several bills had been passed by the House of Assembly in Upper Canada and that they were thrown out by the Legislative Council, but he would tell the hon. gentleman that the Legislative Council of Upper Canada acted in a perfectly constitutional manner in rejecting those bills. The Legislative Council formed a distinct branch of the Legislature, with full powers to act as such, and no one ever heard of that body being packed in those days for the purpose of carrying a particular measure.¹⁰⁰ The Legislative Council of Upper Canada, he contended ... was a much more constitutional body than the existing one, which was just made up to suit the purpose of carrying obnoxious measures.¹⁰¹ Now, the Legislative Council is merely composed of the nominees of gentlemen on the Treasury Benches, without any distinct powers and liable to be overawed and controlled at any moment by them. It is, perhaps, one of the strongest arguments in favour of making the council elective that this is the case. It is now said that the Queen has the power of making these appointments--¹⁰²

MR. INSP. GEN. HINCKS.--Just as much now as at any time.¹⁰³

MR. ROBINSON.--Not so. What had the Queen to do with the nomination of twelve individuals to the Legislative Council, in 1843, for the express purpose of carrying a most obnoxious measure. The fact that they were appointed solely with that view is proved by the torrent of abuse poured on one of those gentlemen, Mr. Jones, by ministerialists and ministerialist prints, because he did not vote as they wished.¹⁰⁴

MR. INSP. GEN. HINCKS.—The fact that Mr. Jones voted against the Ministry is strong proof that no such understanding as the gentleman alludes to existed.¹⁰⁵

MR. ROBINSON.—It proves nothing of the kind. The Ministry were well aware how a majority of the new members would vote; and when Mr. Jones acted according to his own conscience, he was attacked, and vilified as a traitor to principle. With respect to the question more immediately before the House, he had heard it said that it was desirable to bring this question back to the Canadian Parliament, for the purpose of settling it permanently. He should like to know how it is to be settled more firmly than has been done by the existing Act passed at our own request. Imagine that it was brought back, and that a settlement was made by the Legislature, would it not be in the power of the next Parliament to rip up that settlement, and thus agitate the question, and keep the country in a state of disturbance for years? On the repeated and urgent solicitations of the people of this country, the Parliament of Great Britain was induced to act, and their action has been satisfactory to the people of Upper Canada: for it is erroneous to suppose that the people of Upper Canada are desirous of upsetting the present arrangement. Of that he is convinced, and he would state most distinctly, that except during the excitement of a general election, the subject is scarcely mentioned by the people¹⁰⁶. After the settlement, not a word was heard about these reserves till the year 1846¹⁰⁷. The ... revival of the agitation ... six years after the settlement [was] consequent upon an¹⁰⁸ incidental¹⁰⁹ application, by some of the members of the Church of England, for the management of their own share of the proceeds¹¹⁰ [and] disposition of one portion of the Reserves ... and supposed by the members of that church to be grossly squandered.¹¹¹ The petitions for the purpose were very numerous, and the feeling in favour of the prayer of the petitioners was very strong; but the Government of the day, which spoke the feelings of the people of Upper Canada, merely repudiated the idea, in the strongest possible terms, of reviving the agitation. All parties in the House concurred in declaring the settlement final; and it is remarkable that the report of the committee to which the question was referred, and which declared this finality, was composed entirely of Presbyterians--there was not a single member of the Church of England on that committee. The report passed unanimously, and was fully acquiesced in by the President of the Council, and the late member for the North-Riding of York; the former, not merely content with intimating his acquiescence, but declaring his anxiety never to hear the subject mentioned again. The late member for the South-Riding of York was also of this opinion.¹¹² To prove these assertions the hon. member read extracts from the speeches on that occasion of the hon. Mr. Baldwin, and Mr. Cameron¹¹³. He did not desire to occupy the time of the House unnecessarily, and would therefore conclude by saying, that he considered it to be the first day of every government to provide for the religious instruction of the rising generation. He would defy any of the advocates of secular education to show that it was sufficient for the grand objects of education in any part of the world. The religious education of the multitude should not be left to chance¹¹⁴. However, that question was not now before the House, and he hoped it would be long before it would be¹¹⁵. To provide the means for affording that religious education, and conferring a great and inestimable blessing on the children of improvident parents, he trusted that the present settlement may be maintained, in accordance with the declaration of finality made and assented to in 1846.¹¹⁶

MR. SEYMOUR also held that all parties had considered this question to be settled by the legislation of 1841, so that it never was mooted at all at the election of 1844. When the church of England subscribed to that and petitioned

to have the control of their own share of the Reserves given up to them petitions poured in from the friends of the hon. gentlemen opposite against any change in the arrangements of 1841, which the petitions declared should be held final. At that time a committee was appointed, of which Messrs. Baldwin and Prince [sic] were members and in their report they cited these petitions, and maintained that the settlement should be considered as definite.¹¹⁷

MR. INSP. GEN. HINCKS said it was not the case that Messrs. Baldwin and Prince [sic] agreed in that report; for they had repeatedly declared that they differed from it.¹¹⁸

MR. J. A. MACDONALD said that Mr. Baldwin and Mr. Price both stated in their places in Parliament, that they agreed to the report. In addition to that, he went to Mr. Price personally, and asked him if he agreed to the report, and Mr. Price answered in the affirmative [sic].¹¹⁹

MR. INSP. GEN. HINCKS replied that after that allegation on the personal knowledge of Mr. McDonald he could say nothing in the absence of Messrs. Baldwin and Price; but his impression was what he had stated.¹²⁰

MR. SEYMOUR contended that the confirmation of the fact that the opinions of these gentlemen were in accordance with the report, was to be found in the speeches he had cited. He looked on the property of the Catholic church in Lower Canada and these Reserves as standing in exactly the same footing since the French King gave the one and the English King the other. He would not vote to re-open this whole question; but he had no objection to an equal division of the property, and would vote for an address praying the British government to redistribute on that principle.¹²¹

MR. PROV. SEC. MORIN (in French) was indistinctly heard by the reporter[s], owing to his position with his back to their box.¹²² La question qui nous occupe en ce moment, M. l'orateur, est une des plus importantes qui puissent attirer l'attention de cette chambre. Je ne crois pas cependant qu'elle dût susciter actuellement les débats dont nous sommes témoins.¹²³ Gentlemen on both sides of the House had wandered very considerably from the question really at issue.¹²⁴ La question aujourd'hui est, en effet, celle-ci: le pays doit-il avoir le pouvoir de législater [sic] sur les réserves du clergé?¹²⁵ The Government is of opinion that the Legislature does not possess that power.¹²⁶ Lors de la formation de l'administration, il fut question des réserves entre mon honorable ami l'inspecteur-général et moi, car il s'agissait de poser les bases de notre gouvernement. Et je dois déclarer de suite que mon honorable ami et moi, nous fûmes parfaitement d'accord¹²⁷ in believing first that legislation on this subject was necessary; next that the necessary legislation must be Provincial.¹²⁸ That part of the subject had been fully explained by the Inspector General. As he had stated, they were perfectly of accord with respect to the steps which they deemed it advisable to take.¹²⁹ For this reason he desired to have the affair submitted to the Provincial Parliament, in order that it might be settled according to the will of the people.¹³⁰ Dès ce moment, l'administration comprit que la question des réserves ne pouvait plus être une question ouverte; ce devait être désormais une question de cabinet. Le sujet était trop important pour le laisser entre les mains d'un membre ordinaire de la chambre, et la décision du gouvernement fut dans ce sens.

Aussi, c'est à cela que je suis tenu, et c'est à cela que je tiendrai. J'ajoute que cette question jusqu'à ce qu'elle soit finalement réglée doit être une question de cabinet. La durée de cette administration devra être déterminée par la décision de cette question.

Je n'hésite pas non plus à dire, monsieur l'orateur, que les membres du gouvernement s'entendent assez bien sur cette question pour qu'il n'y ait pas de division entre eux plus tard à ce sujet.

On a bien voulu me prêter des opinions que je répudie. Mes idées ne sont pas aussi rétrécies qu'on a tenté de les représenter, et je n'ai jamais changé ni varié.¹³¹

The opinion he had always held unchanged is, that the existence of the Reserves is an injustice to a great portion of the people of Upper Canada, and that he had ever been opposed in principle to the Act determining the present settlement.¹³²

Les réserves ... ont été et sont injudicieuses [et] injustes ... d'autant plus que la mise à effet de la loi a prouvé une partialité sans pareille.

D'après ce que je viens de dire, il ne peut y avoir aucune division dans l'administration, car tous les membres sont d'accord. Ils sont décidés à faire régler cette question, mais ils veulent suivre les formes nécessaires.¹³³

As in the details of that settlement, he thought that it would be inexpedient to discuss that question at the present moment.¹³⁴ Ce n'est pas notre faute si des membres de cette chambre, changeant la question, entrent dans tous les détails des réserves, et risquent par là de retarder le règlement de la question. Ils en sont les maîtres. Mais il n'en est pas moins vrai que le mode d'action adopté en cette circonstance par le gouvernement est le seul convenable, le seul logique. C'est de cette manière que le cabinet entend régler la question.¹³⁵ The Resolutions of the Inspector General ought to meet with the support of all those who desire to see this question restored to the Parliament of this Province for legislation.¹³⁶

Il ne devrait pas, selon moi, y avoir deux opinions sur ce sujet. Il me semble en effet, qu'on confond l'appropriation des réserves faite en faveur d'une classe, avec une simple expression d'opinion de la part du gouvernement impérial. Si l'appropriation équivaut à un droit de propriété, on devrait en trouver quelque preuve dans la loi au sujet des réserves, mais il n'en est rien.

Aussi, je n'hésite pas à dire que le jour où le parlement provincial aura obtenu le droit de législater [sic] sur cette question, il pourra la régler comme bon lui semblera et d'une manière toute différente de celle du parlement impérial, et approprier ces réserves à une AUTRE destination!

Je respecte le droit de propriété, monsieur l'orateur, partout où il se trouve. Mais ce droit ne se trouve pas dans les réserves.

La loi qui règle ces réserves est un tissu de dispositions injustes et partiales. Elle en approprie la plus grande partie à des églises privilégiées, et le reste à des corps religieux qu'on n'a pas nommés, mais que l'on a tenté de rendre dépendants du pouvoir en leur jetant cela en pâture.

Je ne m'étendrai pas, monsieur l'orateur, sur les craintes qu'on a voulu supposer à mes compatriotes catholiques du Bas-Canada, au sujet des biens de leurs institutions religieuses. Ces craintes, ils ne les ont pas, car ils ont pour eux le droit. Moi pour un je n'ai pas cette frayeur. J'aime à croire, en effet, et j'espère qu'il ne se recontera jamais dans un pays tel que le nôtre quelqu'un assez ôsé pour s'attaquer aux biens de nos corporations religieuses. Ses efforts seraient en vain; il n'aurait que le mépris universel.

Les biens de nos institutions ecclésiastiques n'ont pas été un pur don du prince représentant l'état. La partie dont l'état leur a donné la propriété, elles l'ont obtenue par leurs services signalés. Le reste est le don des particuliers qui, reconnaissant le mérite réel de ces institutions, ont voulu les doter à même leurs propres patrimoines.

Et, après tout, en quoi consistent tous ces biens? A part les maisons d'éducation, ce sont quelques seigneuries, où les terres sont concédées aux taux légaux, et qui sont régies avec une tolérance dont on ne voit pas partout des exemples.

Ces biens, encore une fois, sont pour les maisons d'éducation ou de charité. Le clergé des paroisses, le clergé de l'église catholique, lui, est soutenu et maintenu, non pas à même ces biens, mais par les contributions de ceux-là seulement qui professent cette religion.

Il ne peut donc pas y avoir de craintes fondées au sujet des biens de nos institutions religieuses, et après ce qui précède, on ne peut nier que, sur les réserves du clergé, la législation ne soit nécessaire et qu'elle ne doive se faire par la province.

On a dit que mes collègues et moi, si nous avions compris notre devoir, nous eussions dû déposer nos portefeuilles de ministre, le jour où l'Angleterre refusait à la province le droit qu'elle réclamait.

Mais je le demande à tout homme impartial, aurait-ce été là le moyen d'obtenir justice? Ne devons-nous pas plutôt rester à notre poste pour défendre la position du pays. Je vais plus loin, et je déclare que nous n'aurions pas dû résigner, quand même le refus de l'Angleterre eût porté sur une question gouvernementale. Autrement, c'eût tenir une conduite ni sage, ni prudente.

Je sais bien que les Haut-Canadiens sont plus intéressés en cette matière que le Bas-Canada ne l'est; mais il n'en est pas moins vrai que nous y avons nous-mêmes un intérêt. Et voilà pourquoi, M. l'orateur, je crois que les résolutions que mon honorable ami l'inspecteur-général a soumis à la chambre sont exactement ce qu'elle doit adopter et dire.

Je n'ignore pas que quelques honorables membres ont exprimé des craintes sur la manière dont ces résolutions sont dressées; on en a trouvé les expressions trop fortes. Il faut, en vérité, que ceux qui disent pareille chose, ou ne comprennent pas ces résolutions, ou ne veulent pas les comprendre.¹³⁷

That the Government could not proceed by any other mode than address, he assumed to be indisputable, from the fact, that the address passed in 1851 placed the question in rather a worse position than before. Some persons argued that the Parliament should even now proceed by bill, but with a knowledge of the passage of that address, he could not understand how they proposed action by bill.¹³⁸

Quel mal peut-il y avoir à dire [à] l'Angleterre que nous réclamons un droit, que nous demandons justice, et que si elle ne l'accorde pas au pays, nous croyons de notre devoir de l'avertir que nous entretenons de grandes craintes pour l'avenir? C'est le devoir des ministres d'en agir ainsi; leur position les oblige à avertir leur souveraine du danger qu'ils croient prévoir.

La question en est venue à un tel état qu'en vérité on serait porté à regretter le temps passé. Mais je le répète, elle ne se présente pas aujourd'hui sous cette forme irritante: Il s'agit seulement d'obtenir de l'Angleterre le droit pour le parlement provincial de législater [sic] sur les réserves du clergé.

Cette chambre, M. l'orateur, doit avoir à coeur, doit tenir à honneur de maintenir la forme de gouvernement responsable que nous avons obtenue de l'Angleterre. Pour cela, il lui faut aujourd'hui insister auprès de la métropole sur le droit qu'a la province de législater [sic] sur une question purement locale.

Je crois avoir, pour ma part, fait connaître suffisamment quelles sont les vues du gouvernement dont je fais partie sur la question des réserves; ces vues doivent être maintenant comprises par cette honorable chambre. Les honorables membres doivent être assurés qu'il n'y a pas de division entre mes collègues et moi sur ce sujet. Nous sommes parfaitement d'accord et j'espère que nous le serons jusqu'à la fin.

Je le répète donc, en terminant, cette honorable chambre ne doit pas laisser passer cette occasion de protester; elle doit réclamer comme un droit le pouvoir de législater [sic] sur les réserves du clergé.¹³⁹

MR. BOULTON contended that at the first settlement of the colony, though the French colonies were secured in their rights, it was intended to make of Canada an English colony, having among other advantages that of the provision for public worship. Afterwards, however, at the time of the American Revolution, the tactics of the British government were changed, and the French laws were established; but still provision was made for the maintenance of the Protestant worship. Under this arrangement many Protestants came into the colony induced there ... by proclamations disseminated among the people of the neighbouring States, who had in some States, as in Virginia, a provision for public worship, and who came to Canada hoping to enjoy the same blessing. He contended that by this arrangement the British government had made a contract with these parties coming from the United States, and with all other Protestants settling in Upper Canada. Here he acknowledged that the word Protestant in the arrangement of which he spoke must be taken to mean all Protestants whatever. Now, from that time till 1831, whatever partial action might have taken place, there was no Provincial action--for he did not think the Legislative Council should be always considered as opposed to the people, or that legislation by one branch of the government should be taken as the voice of the people. Well, in 1839, owing to great misery and distress, occasioned by agitation, the Parliament of Upper Canada came to the conclusion of reinvesting the Reserves property in the crown, and to ask the Imperial Parliament to redistribute it. The Imperial Parliament declined however to accept that invitation. They stated that it was for the Provincial government to take the initiative, and for them, afterwards, to sanction it or not. Then came out Lord Sydenham, who was very anxious for the settlement of the question, and he obtained the passing of an act in the Province, which divided the Clergy Reserves in a certain way, giving some part of the property to the Church of Rome. When that went to England the Imperial Parliament refused to sanction it, because it violated the original provision for Protestant worship only. Lord Sydenham then wrote to England imploring that the settlement might be accepted and rendered final, and in consequence of this correspondence the British Parliament did the next best thing--they passed a law themselves. Here Mr. Boulton read extracts from the letters of Lord Sydenham and the preamble of the British act, to show that a final measure was what was then contemplated. As his hon. friend Mr. Robinson had said there was nothing further done until 1846, the people of the country throughout thinking it as settled. Here the hon. member gave an account of what had taken place on that occasion similar to that which had been given by Mr. Seymour; reading and commenting on the words of Mr. Baldwin and Price, in the debate, which took place, to which he added the speech of Mr. Malco[1]m Cameron, declaring that he acquiesced in the settlement of 1841. The next step was the address sent home to England by the Parliament during the session of 1841, and in connection with this he read the despatch of Lord Elgin upon that subject, in which his Lordship deeply regretted the re-opening of this question, and said that the settlement of 1841 ought to be considered as final. Now as, according to responsible government, the sentiments of the Governor General were to be considered as those of his ministers, it must be acknowledged that the present ministers, who were then in the ministry, were of opinion that the settlement was final. And it ought to be final, for the re-opening of the dispute would bring back the old religious feuds and wars between the members of the different churches. He afterwards reminded the R. C. members

of the certainty that the abolition of this property must lead to a similar measure with their own ecclesiastical property, inasmuch as whatever their title it could not be better than a patent of the crown. Farther he went on to say that if the question were to be settled only in Upper Canada, he should have no fear of the result even now, and he reminded the ministry that so far as the vote from Upper Canada was concerned, they had been beaten already that night by a majority of one. He now desired to know, what was to be done when the settlement of the question was brought back; for unlike other public men he could [not] tell what the views of the ministry were, until he got their vote and indeed not always then, for though the hon. member for Norfolk did not run away last night as he did on a former occasion, he took care to say, that voting against the resolutions, he did not vote against their principles. But now he asked again what were the opinions of the Government? and in reply to this question he read the vote of Mr. Cameron in favour of a motion by Mr. Holmes for a committee to draw a bill, for applying the whole of this property to education, and in opposition to Mr. Price's motion for an address to the crown. If that showed anything, it showed that the views of the hon. member at that time, when they were very popular, were totally opposed to those of the ministry of which that hon. member now formed part. He then came to one part of the resolutions, which he must say he was sorry to see proposed by the Inspector General, that part speaking of collisions with Great Britain. If the colony were in the position of Nova Scotia, with her rights invaded and her attempts to build up industry restrained, he did not know that he would not go as far as the words of this address; but when England had declined to legislate on these Reserves and only did so after the most earnest requests on the part of Canada, he would not be a party to such statements as these. For his own part he did not believe that this statement came from the heart; but that it was intended only to divert the attention of the people of Canada from the fact that ministers had broken all their pledges, and having declared their opinion in favour of enacting a law to meet this case, were now, by a kind of private agreement among themselves, about to subside into an address, which, like the last, would be sent to England accompanied by a message from the Governor General avowing his regret that the agitation should be recommended. He concluded by moving as an amendment, the first of the list of resolutions of which, he had given notice.¹⁴⁰

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Mr. Boulton moved in amendment to the Question, seconded by Mr. Gamble, That all the words after "That" to the end of the Question be left out, in order to add the words "His late Most Gracious Majesty King George the Third was graciously pleased to express His desire to make a permanent appropriation of Lands in Upper and Lower Canada for the support and maintenance of a Protestant Clergy within the same, and for the purpose of fulfilling such gracious intentions, an Act was passed in the thirty first year of His Reign, containing certain provisions for the support and maintenance of such Protestant Clergy within the said Provinces:

"That after nearly twenty years of unprofitable legislation on the subject of

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these Reserves in Upper Canada, (prior to its union with Lower Canada,) and after the bitterest feelings had been engendered amongst its inhabitants, an Act passed by the Parliament of Upper Canada in 1839, intituled, 'An Act to reinvest in Her Majesty the Lands set apart for a Protestant Clergy,' wherein it is recited, that doubts had arisen respecting the proper legal construction of

the said Act, and that it had been made a question to what Sects or Denominations of Protestants, the term Protestant Clergy used in the said Act was intended to be applicable, and that the continuance of such doubts, and the controversies to which they have given rise, were in a high degree prejudicial to the peace and good government of that Province, and unfavorable to the spiritual and temporal interests of the people thereof, and that it was expedient to put an end to such doubts and controversies by enabling Her Majesty, Her Heirs and Successors, to dispose of the said Reserves, and the monies accrued, or thereafter to accrue therefrom, in such manner as to Her Majesty, Her Heirs or Successors, might seem just and fit for the maintenance of Public Worship and support of Religion within the said Province:

"That in and by the said Act of the Parliament of Upper Canada, it was enacted that all the Lands then vested in Her Majesty, and which before the passing of the said Act were reserved, allotted, and appropriated for the maintenance and support of a Protestant Clergy in the said Province of Upper Canada, under the authority of the said Act of Parliament of Great Britain, passed in the thirty first year of His said late Majesty's Reign, should be, and remain vested in Her Majesty, Her Heirs and Successors, freed and absolutely discharged from all and every of the trusts, conditions, limitations, and restrictions, contained in, or imposed or declared by the said last mentioned Act: Provided always, that the said Lands were by the said Act vested in Her Majesty, Her Heirs and Successors, discharged from the said trusts and conditions, to the intent and in order that the same Lands might be, by and under the authority of the Parliament of Great Britain and Ireland, applied and appropriated by way of endowment or otherwise, solely for the maintenance of Public Worship and the support of Religion within the said Province, and to no other use or purpose whatsoever:

"That, in 1840, the Legislature of Upper Canada, at the instance of the Right Honorable C. Poulett Thomson, passed another Act to provide for the sale of the Clergy Reserves and for the distribution of the proceeds thereof, which said Bill was carried in the House of Assembly by 28 to 20, and in the Legislative Council by 13 to 5:

"That in the Preamble to the said last mentioned Act, it is declared, 'that it is expedient to provide for the final disposition of the Lands called Clergy Reserves in the said Province, and for the appropriation of the yearly income arising, or to arise therefrom, for the maintenance of Religion and the advancement of Christian knowledge;' and in pursuance thereof, the said Act enacted that the said Reserves and the funds arising or to arise therefrom should be appropriated for the maintenance of Religion and the advancement of Christian knowledge:

"That in a Despatch from the late Right Honorable C. Poulett Thomson to Lord John Russell, Her Majesty's Secretary of State for the Colonies, dated 22nd January, 1840, enclosing the Bill above mentioned, it is stated, 'that there is no subject of such vital importance to the peace and tranquillity of the Province as the question of the Clergy Reserves; that there is none, with reference to the future Union of the two Provinces, which it is more necessary to determine without delay; that it has been for many years the source of all the troubles in the Province, the never failing watchword at the hustings, the perpetual spring of discord, strife and hatred; that to leave this question undetermined would be to put an end to all hope of re-establishing tranquillity within the

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Province but to establish the Union without settlement of it, and to transfer the decision to the United Legislature, would be to add to the sources of discord which then prevailed in Lower Canada, an entirely new element of strife, for amongst the various evils by which Lower Canada had been visited, one and one only, perhaps the greatest of all, has been wanting--religious dissention: That he was satisfied that the value of arriving at a settlement could not be over estimated, and that strong as those feelings might have been, the immense advantage of having the question finally withdrawn from the sources of popular discussion and dispute would reconcile all parties to it: That he most fervently prayed that the settlement agreed on might be final, and that no obstacle might be opposed to its confirmation by Her Majesty;--that should it be otherwise, and the question be again thrown back for decision in Canada, he could not foresee the consequences; but, at least, he knew that peace and tranquillity must in that event long remain strangers to the Province:'

"That in consequence of the earnest importunities of the said late C. Poulett Thomson, and in consequence of the said last mentioned Act of the Province of Upper Canada, and with a view to the final settlement of the question by an Act of the Imperial Parliament passed in the third and fourth years of the Reign of Her present Majesty, cap. 78, it is declared 'to be expedient to provide for the final disposition of the Lands called Clergy Reserves, in Canada, and for the appropriation of the yearly income arising, or to arise therefrom, for the maintenance of Religion, and the advancement of Christian knowledge within the said Province:'

"That by the last mentioned Act of Parliament, a disposition was made of the said Funds, by appropriating two-sixths thereof to the Church of England, one-sixth to the Church of Scotland, and the remaining three-sixths to be applied by the Governor of Canada, with the advice of the Executive Council, for purposes of Public Worship and Religious instruction in Canada; and that by such Act, the Church of England and the Church of Scotland, and other denominations, have already acquired a vested interest therein:

"That the people of Canada concurred in the final settlement of the said question by the Imperial Parliament, and for years it was so considered by all the various political parties in Canada:

"That in 1846, a Committee of the Legislative Assembly of Canada, consisting of Messieurs Petrie, McDonald of Kingston, Stuart of Bytown, Price, and Chalmers, none of whom belonged to the Church of England, unanimously reported that no change or deviation from the system (then existing) should be sanctioned by the Legislature:

"That the Honorable Robert Baldwin, late Attorney General for Upper Canada, and late colleague of the Honorable Francis Hincks, declared in his place in the Legislative Assembly, in 1846, during a debate on the Reserves, 'that the Bill passed by the Legislature of Upper Canada, in 1840, led to a final disposal of the question by the Imperial Parliament: That he called on Honorable Members to mark his words, that if the question be reopened, former fierce agitation would be resumed: That so much did he dread the renewal of agitation, that he had in every instance, and in toto, discountenanced such a course, and that he therefore pressed upon both sides of the House to forbear reviving the question:'

"That the Honorable James Hervey Price, late Commissioner of Crown Lands, and late colleague of the Honorable Francis Hincks, and the originator and mover of the Resolutions of 1850, declared at the same time and place above mentioned, That the settlement under Lord Sydenham had been considered final: that peace

had succeeded the long and fierce conflict, and the country was settling down in the hope that agitation on that subject was at an end: That although three-fourths of the people believed that the arrangement was made in injustice and

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partiality, they quietly submitted, as the only means of restoring peace to the land; that proportionate to that hope would be the grief and excitement produced by the re-opening of the question: That he implored Honorable Members to allow them to be dealt with in accordance with the Imperial Act, and one great source of heart-burning and mutual recriminations among the religious bodies would be at once and for ever lost in the oblivion of the past:

"That at the same time and place, the Honorable Malcolm Cameron, now a colleague of the Honorable Francis Hincks, stated 'that he was one of those who acquiesced in the settlement, and for the sake of peace wished never to hear it again, and that he warned the House to let the Act of the Imperial Government take its course, let the land be sold, and the different Churches get the proceeds in strict accordance thereto:'

"That His Excellency Lord Elgin, in his Despatch to Earl Grey, of July 19th, 1850, accompanying the Address of the Provincial Legislature, declared that he deeply regretted the revival of agitation on this subject, of which Lord Sydenham truly observed, that it had been in Upper Canada the one all-absorbing and engrossing topic of interest, and for years the principal cause of the discontent and disturbance which had arisen, and under which the Province had labored:

"That this House deprecates in the strongest manner any attempt to bring back to this Province for future Legislation, a subject which in the language of the late Lord Sydenham is declared to be the perpetual spring of discord, strife, and hatred, and which, if transferred to the United Legislature, would introduce into Lower Canada 'an entirely new element of strife:'

"That if the present unprincipled agitation should succeed in secularizing the Clergy Reserves, thus depriving Religion in Upper Canada of its existing support, the same agitation, ere long, may be renewed and disturb those endowments of the Roman Catholic Church which hitherto have been so instrumental in conferring a moral and religious education upon the members of that communion, and hence may arise in Canada a spirit of antagonism between the Protestants and Roman Catholics which happily has not hitherto existed:

"That the Honorable Inspector General, in defiance of the action of the Legislature of Upper Canada, in defiance of the declared final action of the Imperial Legislature on that subject, in defiance of the assent which was tacitly given in Canada to that settlement, in defiance of the expressed opinion of Lord Sydenham 'that the subject of the Clergy Reserves had been for many years the source of all the troubles in the Province, the never-failing watchword at the hustings, and the perpetual spring of discord, strife and hatred, and that if thrown back for decision in Canada, he could not foresee the consequences; though at least he knew that peace and tranquillity must in that event long remain strangers to the Province,' and in defiance of the declared sentiments of several of his late colleagues, and of the Honorable Malcolm Cameron, one of his present colleagues, that the question was finally settled by the Imperial Parliament, has, by the Resolutions which he has laid before this House respecting the Clergy Reserves, again revived that subject, which His Excellency the Governor General Lord Elgin, in the above Despatch, declared he deeply regretted had been revived; which has been declared by such high authority to be the source of all the troubles in the Province, the perpetual spring of discord, strife and hatred, and yet up to this period of the Session, he and his colleagues, as an Administration, have studiously avoided announcing to the Legislature or to the

Country, their opinion as to the final disposition which should be made of these Reserves:

"That after the Imperial Government has finally legislated on this most important subject, in accordance with the earnest entreaties of the late Lord Sydenham, Governor General of this Province, and after the Legislature of Upper Canada had passed an Act for such purpose, it is unstatesmanlike, unmanly and ungenerous for the Administration to use threatening or intimidating language

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towards the Imperial Government, whilst, as a Provincial Cabinet, they have neither the courage nor integrity openly to avow to the People of Canada what in their opinion should be the final disposition of these Reserves;"

MR. STEVENSON felt that an attempt was made by the Government and others to raise a false issue on the question.¹⁴¹ [He] did not think it was a true issue to put this as a refusal of Great Britain to grant the right of legislating on the Clergy Reserves to the people of the Province.¹⁴² The Attorney General had stated that this is a constitutional question; he contended that it is not. The British Parliament had not legislated on this subject as a matter of right¹⁴³, on the contrary the British Parliament had refused to legislate upon it, until it had been repeatedly requested to do so¹⁴⁴ [by] the Canadian Parliament. It was repeatedly stated that the legislature of Upper Canada had decided this question over and over again, but with all deference to those who made the statement, he must affirm that they are in error¹⁴⁵. He did not believe that the Upper Canadian Legislature had ever settled this question.¹⁴⁶ One branch of the Legislature of Upper Canada, it is true, attempted to decide it, but the Legislature of Upper Canada never did so; and it was solely to put a termination to these conflicts, to prevent all further agitation, and to soothe the bad feeling which existed in this country that Great Britain consented to legislate. He would wish to ask the gentlemen who advocate the passage of these resolutions whether they do it with the object of renewing this agitation? If that was their object, one would think that the people of Lower Canada who can feel but a slight interest in the matter, and who have already had agitation enough for thirty years about their own affairs, ought to be rather careful about lending them any assistance. If the question was fairly submitted to the House by the Government; if they had stated in these resolutions to what extent they intended to go if the Imperial Government repealed their Act, the House would then be prepared to meet the question properly; but they have studiously avoided any reference to their ultimate object in the resolutions, although they had admitted in their speeches that the object was secularization. Why did they not insert a resolution expressing that intention, and thus give the House some idea of what they are required to vote upon, instead of presenting a naked proposition for the repeal of the Imperial Act? As the question stands, one section of the House will vote in favour of it as a measure of expediency; another section will probably vote for it because they believe that these Reserves should be under the control of the Canadian Legislature, whilst they hold the opinion that the lands should still be retained for religious purposes¹⁴⁷, but he did not think these gentlemen knew what mischief they were about to do.¹⁴⁸ [They] are little aware of the effect that their votes may have upon their own institutions. For himself, he did not dread the decision whatever it may be, but he did dread the agitation that may follow the vote on this occasion, an agitation that will

not exist merely for one season, but which may spread over years; an agitation that, he did not hesitate to say, will be continued as long as a single acre of the original appropriation remains. That is the avowed object of the originators of this movement; but he would like to ask gentlemen whether they conceived that agitation will cease when that end is gained, when the funds set apart for the support of religious education are swept away, and when the patents granted to individuals are annulled? He did not pretend to say that the Church property in Lower Canada will follow; but he would say confidently that the agitation will be continued against every ecclesiastical corporation in Lower Canada. He looked upon this as the entering wedge, and conceived that he was justified in looking upon it in that light, when he heard gentlemen out of doors, and when he heard gentlemen in the House, say that if the Church property were taken for the uses of the state, it would pay off the Provincial debt. It is a question only mooted now, but which will, probably, be seriously agitated when the other object has been accomplished, for the arguments which apply in the one case will apply with equal force in the other, and it is extremely unlikely that those who view Church endowments in one section of the Province with aversion will take a more favourable view of them in the other.¹⁴⁹

MR. BOULTON's resolutions were then put to the vote, and lost, on a division. Yeas 18; Nays 50. They were as follows:--¹⁵⁰

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And the Question being separately put on the first ten paragraphs of the said Amendment; the House divided on each: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Stevenson, Street and Wright of West Riding of YORK.--(18.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Rolph, Attorney General Richards, Rose, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Viger, White, Willson, Wright of East Riding of YORK, and Young.--(50.)

So it passed in the Negative.

After several amendments had been lost, the debate was resumed by ...

MR. DIXON, who went over the figures of the population of Upper Canada in 1841¹⁵¹ for the purpose of showing that, in accordance with the census returns, the settlement made by the Act of 1841 was as fair a division¹⁵² to all parties¹⁵³ as could probably be arrived at. The Churches of England and Scotland, the Church of Rome, and a very large proportion of the Methodists were in favour of that arrangement. It was an equitable and honourable arrangement; and was fully considered to be final at that day; and was so still held to be final until the year 1849. The country was satisfied and would have remained satisfied; but that did not suit the views of the gentleman who, in 1849, introduced a long string of resolutions for the purposes of re-opening the whole question. The agitation had been continued ever since; and the House is now told, as a justification of that agitation, that the settlement of 1841 was not final. If it were not final, he should like to know what settlement could be final?

Suppose that a settlement was arrived at this night, is there anything to prevent gentlemen imbued with the feelings of those opposite him from agitating for a new settlement tomorrow. For that reason he should oppose the resolutions, and he would also oppose them because he believes that they are an interference with the right of property.¹⁵⁴ He believed that the Clergy Reserve property was as sacred as any other property, and he went over some arguments in support of his view. If the Reserves are not held sacred there is no property safe in the Province.¹⁵⁵ If possession gives the right of property, then the possession of those Reserves for so many years would induce him to believe that the persons whom it is proposed to strip have vested rights. Those rights have been acquired in the initiative in the most sacred manner, by grant from the Crown, sanctioned and confirmed by various Acts of Parliament.¹⁵⁶ They were set aside for the purposes of religion, and ought not to be diverted from it. He believed the spirit of discord which the ministry desired to introduce into the country would be the ruin of religion. He dilated upon the evils which would result from the introduction of what he termed a firebrand into the country, and the difficulty of dividing the reserves for religious purposes.¹⁵⁷ Gentlemen of Lower Canada were taught to believe that the property of their Church was placed out of danger, that it will be impossible to lay violent hands on it; but he warned them that this is not the case; that the persons who esteem so lightly a grant from the monarch, strengthened by an Act of the Imperial Parliament, revised by the Canadian Parliament, will have no difficulty in discovering, at some future day, that a treaty possesses no greater value, and that property given by individuals to ecclesiastical corporations may be very properly and constitutionally resumed by the public for the use of the state. If the principle be now adopted, there is very little doubt that it will be pushed to its legitimate consequences, and anarchy and confusion must be the result. He appealed to gentlemen from Lower Canada not to aid in bringing it about. He appealed to them as lovers of fair play and even-handed justice not to give votes, on this occasion, which they will not only ever regret hereafter, but which will be utterly inconsistent with their oft repeated declarations. He appealed to them¹⁵⁸ as men¹⁵⁹, as Christians, parents, and gentlemen, to know whether they would give their votes for a proposition intended to sweep away, in the name of religion, all the support of religious education¹⁶⁰, to uproot everything that bore the name of religion in the country?¹⁶¹ And he appealed to them as men of honour and high moral worth to know whether they were going to destroy every religious institution in Upper Canada, merely because the question did not, at the moment, affect their own section of the Province.¹⁶² He earnestly desired them to pause before [sic] giving such a vote.¹⁶³

COL. PRINCE did not doubt the sincerity of the last Speaker, in the sentiments which he had uttered; but he (Col. P.) did not believe that leaving this question unsettled was calculated to promote peace in the country. He continued to speak on the subject of state religion and stated with respect to the ministry that he did not think they were called upon at this stage of the proceedings to express their views respecting the final disposition of the reserves. He advised the gentlemen from Lower Canada, not to be under any fear respecting their church property. He reviewed the despatch of Sir. J. Pakington contending that he had shewn great ignorance of Canada; and with reference to his remark about "an accidental majority," if he had been in Upper Canada during the late election he would have been convinced that there was no accidental feeling on the reserves' question.¹⁶⁴

MR. ROSE made some explanations with reference to the views of the methodists.¹⁶⁵

The remainder of Mr. Boulton's resolutions were lost.¹⁶⁶

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And the Question being separately put on the eleventh, twelfth and thirteenth paragraphs of the said Amendment; the House divided on each: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Burnham, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Stevenson, Street, and Wright of West Riding of YORK.--(17.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of GASPE, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Rolph, Attorney General Richards, Rose, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Viger, White, Willson, Wright of East Riding of YORK, and Young.--(51.)

So it passed in the Negative.

(150)

And the Question being put on the fourteenth paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Stevenson, Street, and Wright of West Riding of YORK.--(18.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Rolph, Attorney General Richards, Rose, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Viger, White, Willson, Wright of East Riding of YORK, and Young.--(50.)

So it passed in the Negative.

And the Question being put on the fifteenth paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Stevenson, and Wright of West Riding of YORK.--(17.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince,

Attorney General Richards, Rolph, Rose, Street, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Viger, White, Willson, Wright of East Riding of YORK, and Young.--(51.)

So it passed in the Negative.

And the Question being separately put on the sixteenth and seventeenth paragraphs of the said Amendment; the House divided on each: and the names being called for, they were taken down, as follow:--

(151)

YEAS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Stevenson, Street, and Wright of West Riding of YORK.--(18.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Rolph, Attorney General Richards, Rose, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Viger, White, Willson, Wright of East Riding of YORK, and Young.--(50.)

So it passed in the Negative.

And the Question being put on the last paragraph of the said Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, and Wright of West Riding of YORK.--(17.)

NAYS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dumoulin, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Prince, Attorney General Richards, Ridout, Rolph, Rose, Street, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Viger, White, Willson, Wright of East Riding of YORK, and Young.--(52.)

So it passed in the Negative.

And the Question being again proposed, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;"

(152)

And a Debate arising thereupon;

On Motion of Mr. Brown, seconded by Mr. Rose,

Ordered, That the Debate be adjourned until To-morrow, and be then the first Order of the day, after the presenting of Reports of Committees.

*Then, on motion of Mr. Gamble, seconded by the Honorable Mr. Macdonald,
The House adjourned.*

FOOTNOTES: 14 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 17 September 1852, MONTREAL GAZETTE, 17 September 1852, and GLOBE, 18 September 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 15 September 1852, BRITISH WHIG, 16 September 1852, BRITISH COLONIST, 17, 21 September 1852, MONTREAL GAZETTE, 17 September 1852, QUEBEC GAZETTE, 17, 24 September 1852, HAMILTON SPECTATOR DAILY, 21 September 1852, GLOBE, 21, 23 September 1852, EXAMINER, 22 September 1852, HAMILTON GAZETTE, 23 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852 (in two separate accounts), and NIAGARA MAIL, 29 September 1852. The debate was also reported by: OTTAWA CITIZEN, 18 September 1852; BATHURST COURIER, 24 September 1852 (in an illegible account); JOURNAL DE QUEBEC, 16, 18 September 1852; and LA MINERVE, 16 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 15 September 1852, PILOT, 15 September 1852, HAMILTON SPECTATOR WEEKLY, 16 September 1852, and OTTAWA CITIZEN, 18 September 1852. A commentary appeared in LA MINERVE, 18 September 1852, which noted: "La discussion, commencée à 4h., a duré jusqu'à 10½h." The reporter added: "Je n'ai jamais vu autant de spectateurs se presser à une séance; dès six heures les galeries étaient remplies, le front occupé par des hommes, et les deux côtés par des dames: ces dernières s'y trouvaient en grand nombre. Il faut vous dire que les Québécoises semblent prendre un intérêt considérable aux débats de notre législature; il y a des séances où leur nombre surpasse celui des personnes de l'autre sexe [sic]; cela vient sans doute en grande partie de ce que les constructeurs du Palais Législatif ont eu la galanterie de leur réserver des sièges."
2. HAMILTON SPECTATOR DAILY, 14 September 1852.
3. GLOBE, 21 September 1852.
4. MORNING CHRONICLE, 15 September 1852.
5. GLOBE, 21 September 1852.
6. JOURNAL DE QUEBEC, 16 September 1852.
7. GLOBE, 21 September 1852.
8. MORNING CHRONICLE, 15 September 1852.
9. GLOBE, 21 September 1852.
10. MORNING CHRONICLE, 15 September 1852.
11. GLOBE, 21 September 1852.
12. MORNING CHRONICLE, 15 September 1852.
13. GLOBE, 21 September 1852.
14. MORNING CHRONICLE, 15 September 1852.
15. GLOBE, 21 September 1852.
16. MORNING CHRONICLE, 15 September 1852.
17. GLOBE, 21 September 1852.
18. MORNING CHRONICLE, 15 September 1852.
19. GLOBE, 21 September 1852.
20. MORNING CHRONICLE, 15 September 1852.
21. GLOBE, 21 September 1852.
22. MORNING CHRONICLE, 15 September 1852.
23. GLOBE, 21 September 1852.
24. MORNING CHRONICLE, 15 September 1852.
25. GLOBE, 21 September 1852.
26. MORNING CHRONICLE, 15 September 1852.
27. GLOBE, 21 September 1852.

28. IBID.
29. IBID.
30. MORNING CHRONICLE, 15 September 1852.
31. GLOBE, 21 September 1852.
32. MORNING CHRONICLE, 15 September 1852.
33. GLOBE, 21 September 1852.
34. MORNING CHRONICLE, 15 September 1852.
35. GLOBE, 21 September 1852.
36. MORNING CHRONICLE, 15 September 1852.
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38. MORNING CHRONICLE, 15 September 1852.
39. GLOBE, 21 September 1852.
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43. GLOBE, 21 September 1852.
44. MORNING CHRONICLE, 15 September 1852.
45. GLOBE, 21 September 1852.
46. MORNING CHRONICLE, 15 September 1852.
47. GLOBE, 21 September 1852.
48. MORNING CHRONICLE, 15 September 1852.
49. IBID.
50. IBID.
51. JOURNAL DE QUEBEC, 16 September 1852.
52. MORNING CHRONICLE, 15 September 1852.
53. JOURNAL DE QUEBEC, 16 September 1852.
54. MORNING CHRONICLE, 15 September 1852.
55. JOURNAL DE QUEBEC, 16 September 1852.
56. MORNING CHRONICLE, 15 September 1852.
57. GLOBE, 23 September 1852.
58. MORNING CHRONICLE, 15 September 1852.
59. GLOBE, 23 September 1852.
60. MORNING CHRONICLE, 15 September 1852.
61. GLOBE, 23 September 1852.
62. MORNING CHRONICLE, 15 September 1852.
63. IBID.
64. GLOBE, 23 September 1852.
65. MORNING CHRONICLE, 15 September 1852.
66. IBID.
67. QUEBEC GAZETTE, 24 September 1852.
68. MORNING CHRONICLE, 15 September 1852.
69. QUEBEC GAZETTE, 24 September 1852.
70. MORNING CHRONICLE, 15 September 1852.
71. QUEBEC GAZETTE, 24 September 1852.
72. IBID.
73. The figures listed by QUEBEC GAZETTE, 24 September 1852, do not total £10,483,697.
It is not known whether the error lies in one of the items listed or in the
total shown.
74. QUEBEC GAZETTE, 24 September 1852.
75. MORNING CHRONICLE, 15 September 1852.
76. QUEBEC GAZETTE, 24 September 1852.
77. MORNING CHRONICLE, 15 September 1852.
78. QUEBEC GAZETTE, 24 September 1852.

79. MORNING CHRONICLE, 15 September 1852.
80. QUEBEC GAZETTE, 24 September 1852.
81. MORNING CHRONICLE, 15 September 1852.
82. QUEBEC GAZETTE, 24 September 1852.
83. MORNING CHRONICLE, 15 September 1852.
84. QUEBEC GAZETTE, 24 September 1852.
85. MORNING CHRONICLE, 15 September 1852.
86. QUEBEC GAZETTE, 24 September 1852.
87. MORNING CHRONICLE, 15 September 1852.
88. QUEBEC GAZETTE, 24 September 1852.
89. MORNING CHRONICLE, 15 September 1852.
90. GLOBE, 23 September 1852.
91. MORNING CHRONICLE, 15 September 1852.
92. GLOBE, 23 September 1852.
93. MORNING CHRONICLE, 15 September 1852.
94. GLOBE, 23 September 1852.
95. MORNING CHRONICLE, 15 September 1852.
96. GLOBE, 23 September 1852.
97. MORNING CHRONICLE, 15 September 1852.
98. GLOBE, 23 September 1852.
99. IBID.
100. IBID.
101. MORNING CHRONICLE, 15 September 1852.
102. GLOBE, 23 September 1852.
103. IBID.
104. IBID.
105. IBID.
106. IBID.
107. MORNING CHRONICLE, 15 September 1852.
108. GLOBE, 23 September 1852.
109. MORNING CHRONICLE, 15 September 1852.
110. GLOBE, 23 September 1852.
111. MORNING CHRONICLE, 15 September 1852.
112. GLOBE, 23 September 1852.
113. MORNING CHRONICLE, 15 September 1852.
114. GLOBE, 23 September 1852.
115. MORNING CHRONICLE, 15 September 1852.
116. GLOBE, 23 September 1852.
117. MORNING CHRONICLE, 15 September 1852. The two members of the committee referred to in this speech were Messrs. Baldwin and Price - not as the MORNING CHRONICLE reports, Baldwin and Prince.
118. MORNING CHRONICLE, 15 September 1852.
119. GLOBE, 23 September 1852.
120. MORNING CHRONICLE, 15 September 1852.
121. IBID.
122. IBID.
123. JOURNAL DE QUEBEC, 18 September 1852.
124. GLOBE, 23 September 1852.
125. JOURNAL DE QUEBEC, 18 September 1852.
126. GLOBE, 23 September 1852.
127. JOURNAL DE QUEBEC, 18 September 1852.
128. MORNING CHRONICLE, 15 September 1852.
129. GLOBE, 23 September 1852.

130. MORNING CHRONICLE, 15 September 1852.
131. JOURNAL DE QUEBEC, 18 September 1852.
132. GLOBE, 23 September 1852.
133. JOURNAL DE QUEBEC, 18 September 1852.
134. GLOBE, 23 September 1852.
135. JOURNAL DE QUEBEC, 18 September 1852.
136. GLOBE, 23 September 1852.
137. JOURNAL DE QUEBEC, 18 September 1852.
138. GLOBE, 23 September 1852.
139. JOURNAL DE QUEBEC, 18 September 1852.
140. MORNING CHRONICLE, 15 September 1852.
141. GLOBE, 23 September 1852.
142. MORNING CHRONICLE, 15 September 1852.
143. GLOBE, 23 September 1852.
144. MORNING CHRONICLE, 15 September 1852.
145. GLOBE, 23 September 1852.
146. MORNING CHRONICLE, 15 September 1852.
147. GLOBE, 23 September 1852.
148. MORNING CHRONICLE, 15 September 1852.
149. GLOBE, 23 September 1852.
150. IBID.
151. MORNING CHRONICLE, 15 September 1852.
152. GLOBE, 23 September 1852.
153. MORNING CHRONICLE, 15 September 1852.
154. GLOBE, 23 September 1852.
155. MORNING CHRONICLE, 15 September 1852.
156. GLOBE, 23 September 1852.
157. MORNING CHRONICLE, 15 September 1852.
158. GLOBE, 23 September 1852.
159. MORNING CHRONICLE, 15 September 1852.
160. GLOBE, 23 September 1852.
161. MORNING CHRONICLE, 15 September 1852.
162. GLOBE, 23 September 1852.
163. MORNING CHRONICLE, 15 September 1852.
164. IBID.
165. IBID.
166. IBID.

WEDNESDAY, 15 SEPTEMBER 1852.

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THE following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--The Petition of Thomas Shillinton and others, of the County of Carleton.

By Mr. Laurin,--The Petition of William Delo and others, Stevedores, of the City of Quebec; the Petition of William Wilson, of the City of Quebec, Esquire; and the Petition of François Normand and others, Carpenters, Builders, and Contractors of Wharves and Bridges.

By Mr. Lacoste,--The Petition of William Wilson, Esquire, District Treasurer of the late Municipal District of St. John's.

By Mr. Lemieux,--The Petition of the Corporation of the Pilots for the Harbour of Quebec.

By Mr. Wright of the West Riding of York,--The Petition of Jacob Cook and others, of the Village of Cooksville, Township of Toronto; and the Petition of the Reverend J. Wheeler and others, of the Township of Albion.

By Mr. Boulton,--The Petition of the Honorable C. Widmer, M.D., F.R.C.S.E., and others, duly licensed Practitioners in Medicine in Upper Canada.

By Mr. Taché,--The Petition of F.M.F. Ossaye, of La Tortue, Agent of the Agricultural Society of Lower Canada; and the Petition of the Reverend J. Doucet and others, of the Parish of St. Jean Baptiste, Seignior of L'Isle Verte.

By Mr. Langton,--The Petition of William Cothingham and others, of the Township of Emily, United Countries of Peterborough and Victoria.

By Mr. Brown,--The Petition of John McWhinnie and others, of the Town and vicinity of Woodstock; and the Petition of Alexander Munro and others, of the Township of Zorra.

By Mr. Christie of Gaspé,--The Petition of W.H. Coxwell, Esquire, of the City of Toronto.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Reverend S.S. Strong and others, of the Town of Bytown; and the Reverend William Reid, the Minister, and others, of the Elders of the Presbyterian Congregation at Picton; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the Public Service.

Of Herbert Simmonds and others, of the Town of London and surrounding country; praying for the passing of an Act to prohibit the importation, manufacture and sale of intoxicating liquors.

Of J. Cuppage and others, of the Township of Orillia, County of Simcoe; and of George Wright, Esquire, Chairman, and P. McPhail, Secretary, on behalf of a Public

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Meeting of the Inhabitants of the County of Peel; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of James A. Davidson and others, of the Township of Grantham, County of Lincoln; praying that the Jurisdiction of the Division Courts may be extended.

Of Sylvester Carroll and others, of the Township of Grantham, County of Lincoln; praying for the passing of an Act to regulate arbitrations for the final settlement of differences, and to authorize the entering of their awards in some Court of Record.

Of Charles Donaldson and others, of the Township of Grantham, County of Lincoln; praying that free grants of the waste Lands of the Crown may be made to actual settlers thereon.

Of Angus Cook and others, of the Township of Grantham, County of Lincoln; praying for the repeal of the Usury Laws.

Of W.H. Ward and others, of the Township of Grantham, County of Lincoln; praying for the passing of an Act to establish Free Banking, and to make Government or County Debentures a legal tender.

Of Félix Lavoie and others, of the Parish of St. Roch, Quebec; praying for the amendment of the Judicature Act of Lower Canada, by providing for the payment of Constables chosen to perform certain duties in the Courts of Criminal Jurisdiction, and that they be allowed to furnish substitutes in certain cases.

Of Denis Collins and others, of the Township of Maidstone, and Amherstburg, County of Essex; praying for aid to open and improve the Road between Maidstone Cross and Amherstburg.

Ordered, That the Petition of Francis M. Whitelaw and others, of the Town of Niagara; the Petition of Mary Ann Watts and others, of the Town of Niagara; the Petition of Edmund Coulson and others, of the Township of Toronto; the Petition of N.C.T. Cheltenham and others, of the Township of Chinguacousy; and the Petition of the Reverend Thomas Dickson and others, of the Township of Caledonia, County of Peel, be referred to the Select Committee to which was referred the Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton, on the subject of Temperance.

Mr. Stevenson, from the Standing Committee on Printing, presented to the House the Second Report of the said Committee; which was read, as followeth:--

In proceeding with the duties entrusted to them by Your Honorable House, Your Committee have resolved, That it is expedient to deviate from the practice heretofore followed in respect to the Sessional Printing; and that separate Tenders and Contracts should be received for that division of the work, as follow, viz.:--
1st. The Orders of the Day, and Votes and Proceedings, in both languages. 2nd. The Bills in English. 3rd. The Bills in French. 4th. Other documents ordered to be printed and completed before the close of the Session, in English. 5th. The same, in French.

Your Committee therefore beg leave to report the same for the concurrence of Your Honorable House; and to recommend that the Order of the 20th August last, relative to the Printing of the Votes and Proceedings under the direction of the Honorable Speaker, be rescinded.

Ordered, That the said Report be taken into consideration by this House, on Friday next.

Ordered, That the said Report be printed for the use of the Members of this House.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Eighth Report of the said Committee; which was read, as followeth:--

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Your Committee have examined the Petitions of the Town Council of Amherstburg, --of Robert C. Struther and others, --of Robert M. Boucher and others, --and of the Provincial Mutual and General Insurance Company, and find the Notices sufficient.

On the Petition of J.D. Goslee and others, praying that the boundaries of the new Township of Brighton may be more clearly defined, it appears that no Notice has been published.

The Petition of the Trustees of the Montreal Cemetery Company prays for certain amendments to their Act of Incorporation, of these amendments (which are set forth in the Petition) those which relate to exempting the real estate of the Company from seizure and from assessment, and to granting power to the Company to take additional Land, are of such a nature as to require the publication of Notice, which has not been given; the other amendments do not appear to Your Committee to come within the provisions of the 64th Rule.

The Petition of the President, Directors and Company of the Port Burwell Harbour, prays for power to the Company to levy tolls on Saw Logs and Spars within the said Harbour. Notice of the application was published in the Canada Gazette, but not in any local paper; but inasmuch as Resolutions have been passed by the Municipal Councils of Malahide and Bayham, in favor of the Petition, certified copies of which have been laid before Your Committee, they would beg to recommend that the Notice in a local paper be dispensed with.

The Petition of the Brantford and Buffalo Joint Stock Railroad Company, prays for a special Act of incorporation with authority to continue and extend their Railroad from the Great Western Railroad to Goderich. The Notices in this case have not been published for a sufficient length of time, as they bear date only from the 3rd of August last; but Your Committee have received the evidence of two of the Members of Your Honorable House, who have proved to their satisfaction by both verbal and documentary evidence, that the present application was well known and cordially approved of throughout the whole line of the proposed extension, and that public meetings numerously attended were held at various places, where Resolutions in favor of the project were adopted almost unanimously, and a large proportion of Stocks subscribed for, and Your Committee have also the testimony afforded by the Petition of William Chalk and others, of Huron, Perth and Bruce, signed by several Township Reeves and other public officers and inhabitants of those Counties; and the Petition of the Municipal Councils of the Town of Brantford and the County of Brant, and other places, in favor of the measure; and they have therefore no hesitation in recommending that the Notice be considered sufficient.

The Petitions of Thomas Bingley and others,--and of Robert McKee and others, are merely in opposition to certain of the Petitions above reported upon, and therefore do not come within the province of Your Committee.

The Honorable Mr. Chabot, from the Standing Committee on Miscellaneous Private Bills, presented to the House the Second Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Bill to authorize an addition to the Capital Stock of the Bank of Montreal, and to facilitate the transfer of Shares in certain cases, and have agreed to certain amendments, which they have the honor to report for the consideration of Your Honorable House.

Ordered, That the Honorable Mr. Young have leave to bring in a Bill to amend the Act to incorporate the Montreal Cemetery Company, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

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Ordered, That the Bill to authorize an addition to the Capital Stock of the Bank of Montreal, and to facilitate the transfer of Shares in certain cases, as reported from the Standing Committee on Miscellaneous Private Bills, be printed for the use of the Members of this House.

Ordered, That the said Bill be committed to a Committee of the whole House, for Friday next.

Ordered, That the Reports of the Endowment Board of the University of Toronto; Upper Canada College and Royal Grammar School; of the Caput of the University of Toronto, and of the Principal of Upper Canada College, for the year 1851, which were laid before this House on the 31st of August last, be printed for the use of the Members of this House.

Ordered, That the Bill to amend an Act passed in the eighth year of the Reign of Her Majesty to incorporate the St. Lawrence and Atlantic Railroad Company, and

to extend the powers of the Company, be read the third time To-morrow.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General,--Annual Report of the Board of Agriculture for Upper Canada, for 1851-2.

For the said Report, see Appendix (S.)

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That the Petition of Hugh Allan, Esquire, Chairman of the Convention of Delegates of the Boards of Trade, be printed for the use of the Members of this House.

The Order of the day being read, for resuming the adjourned Debate upon the Question which was yesterday proposed. That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;"

And the Question being again proposed:--The House resumed the said adjourned Debate.

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "That" to the end of the Question be left out, in order to add the words, "this House deeply regrets that Government in bringing the subject of the Clergy Reserves again before Parliament, has refrained from the expression of any opinion, as a Government, upon their future appropriation--the real issue of 'the question;'"

And a Debate arising thereupon;¹

MR. BROWN² rose and said: Mr. Speaker, we were several times reminded in the course of yesterday's debate that the question of the settlement of the Clergy Reserves is not at present before the House--that we have nothing to do with the subject, beyond the single point whether the control over the Reserves should or should not be transferred from Imperial to Provincial hands. It is quite true, sir, that Her Majesty's Ministers in this House have endeavoured to present the subject to us in that light, but I think this is not the shape in which the country expects this great question to be treated, and that it is not a mode of treating it which can be satisfactory to this House; and I have, therefore, prepared a series of resolutions in amendment, with the view of bringing the whole subject before us for discussion. Sir, an administration has been broken up on this question, a new administration has been formed, professedly for the final settlement of this question, --a general election has turned in a great measure upon it--it is expected by the united Reform party of Upper Canada that we will settle it, as far as Canada is concerned, ere the close of the present Session, and I, for one, am not content to have the real issue shirked and time wasted on a mere point of detail. (Hear, hear.) In taking a grasp of the whole subject there are three questions which naturally present themselves: first, can we change the existing appropriations; second, what shall that change be; and third, how shall we proceed to make that change. To these three points I now propose to address myself, and in doing so I regret that the task is not in more able hands--in the hands of the gentlemen of the administration, whose duty it certainly was at the opening of a new Parliament to grapple with the entire subject. Every one is well aware that the Clergy Reserves had their origin in an act of the British Parliament passed in 1791; but it is necessary to bear in mind that the people of Canada had no share in the passing of that Act--that Upper Canada was then a country without a people, and that the Act was passed in antic-

ipation of its future settlement. It is also worthy of remark that the British statesmen who drew up the bill seem to have felt the delicacy of the ecclesiastical portion of the document. They were framing a constitution for a new western world, and they provided courts of legislation, courts of law, a fund for education, a fund for the support of religion, and all the machinery which appeared to them necessary for the establishment of a civilized government. But they evidently felt that the ecclesiastical policy of England might not be acceptable to the free settlers of the forest, and they specially provided that the matter should be left to the people of Canada themselves, and gave power by the Act to repeal the ecclesiastical clauses by Provincial legislation. The Clergy Reserves were to be devoted to the support of "a Protestant clergy," and formerly it was contended that this meant the Church of England--but such a position is quite untenable. For many years no action was taken on the grant; it was not until 1818 or 1819 that some congregations applied to the Provincial Government, for an allowance from it, and among the earliest applications was that of the Presbyterian Church of Niagara. There was a high-church Governor, and a high-church Council then in power, and it is worthy of notice that when the demand was made on them, they did not know to whom the grant rightfully belonged, and referred the question to the colonial office. A high-church Government then ruled in Britain, but even they would not venture to pronounce to whom the grant belonged, and they again referred the matter to the law officers of the Crown for decision, and what was their decision? That the church of England was entitled to the whole? By no means--but that the grant belonged to all churches, not Roman Catholic, recognized by the law. (Hear, hear.) Now, Sir, it is very true that the Churches of England and Scotland were the only Churches recognised by the law of England. But it was not an English matter; it was purely a Canadian question, and the law of Canada had even at that early day recognized all Churches as on an equal footing. And if any doubt had existed, it must have been removed by the testimony obtained by a Committee of the House of Commons in 1828, as to the intention of the British Ministry in framing the bill. Among other witnesses examined was Lord Viscount Sandon, who gave the following testimony:--

"Question. The Committee observe, in a speech made by Archdeacon Strachan on the 6th March 1828, in the Legislative Council of Upper Canada, that Archdeacon Strachan says that he called upon your Lordship in consequence of the debate which took place in May last year in the House of Commons, with a view of ascertaining from you exactly what you had asserted to have been Lord Grenville's statement upon that subject; and Archdeacon Strachan proceeds to say that he called upon your Lordship, and that you stated that Lord Grenville had stated that the Scotch Presbyterians were not intentionally excluded, and provided that provision should be found more than sufficient for the Established Church, he saw no objection to giving them aid. Is that a correct representation of what you said to Dr. Strachan? Answer. That, certainly, is not a correct representation of what passed between us. It is difficult at this time to recollect distinctly what I said. All I can say is that I could not have said what he represents me to have said; for, it is not now, nor ever was, my understanding of what Lord Grenville said to me.

"Question. Have you at this moment a distinct recollection of what Lord Grenville said to you? Answer. I remember that he stated to me that the scheme upon which he built the system that was intended to be incorporated in the Canada Act of 1791 was a good deal derived from information they had collected from an officer that had been much in Pennsylvania; of the system with regard to lands appropriated to religion and education in that State, I understood him to say, that the distinction of a Protestant clergy, which is frequently repeated in the Act of 1791, was meant to provide for any Clergy that was not Roman Catholic; at the same time leaving it to the Governor and the Executive Council of the Province to provide in future how that should be distributed."

But even if the Clergy Reserves had been intended for the ministers of the Church of England alone, it was competent to the Legislature at any time to withdraw it from them. It was given as a public trust, for a public purpose, and when the public interests demanded it, it was competent to the power that gave it to revoke the trust. The principle on which the grant proceeded was the employment of the Clergy as a sort of moral police, and when no longer wanted in that capacity, it was a public right to dispense with their services. What personal interest has any person in this trust, beyond the individual clergymen who form the force for the time being? If the present incumbents were all to resign to-morrow--who could arise to say he was wronged by the diversion of the Reserves to another public purpose? What difference is there between a fund for church purposes and a fund for school purposes? But if the Legislature were to divert the school fund to another purpose to-morrow, who would listen to the schoolmaster if he raised the cry of "spoliation" and "vested rights?" (Hear, hear.) And nothing is more clear than that cases will constantly arise--far stronger cases than this--in which private interests must yield to the public benefit.³ There ought to be no tenderness shown as to changing the application of the Clergy Reserves, inasmuch as when other changes were made, no provisions was [*sic*] made for officers, who suffered by them.⁴ How often has the Parliament of England--the most scrupulous protector of individual rights of any Legislature in the world--broken up private trusts, private bequests, and university charters? Has not the Parliament of Canada often intermeddled with these very Reserves? Do not the Roman Catholics even now demand their share of it in defiance of the Imperial Act? And have we not again and again passed laws to sell Rectory lands--these thrice-sacred endowments in the eye of the High-Churchmen? But it is said--oh, that is all very well as a theoretical argument, but this endowment has been long in existence--the Churches have retained it for many years, and a vested right in it has been acquired by long possession. It is not so, sir, --the two churches have had it--but they have had it under protest all the while--in defiance of the wishes of the great mass of the people. (Hear, hear.) The unjust system of government that so long prevailed in Upper Canada, placing supreme power in the hands of an unprincipled oligarchy, alone prevented the endowment being spent very many years ago. The Legislative Council and the Executive power were controlled by the few families who divided the spoils, and the action of the people's representatives was always extinguished when any measure passed from the Lower to the Upper House. In 1823-4, the House of Assembly voted that the Church of Scotland was entitled to share the Clergy Reserves with the Church of England; in 1826, it voted (14 to 8) to apply the fund for the general purposes of the Province; in 1827, it voted (19 to 7) to devote it to education; in 1828, by 21 to 9, to education and general improvement; in 1830, a Tory Attorney-General introduced a bill to reinvest the Reserves in the Crown, preparatory to their secularization--but the Reformers seem to have feared some deceit, and the bill was allowed to fall aside. In 1834, the House (by 22 to 12,) voted the Reserves for education; in 1835, (by 39 to 7,) for education; in 1837, (by 35 to 21,) for religious and moral instruction; in 1839, it voted £100 a-year to each minister of the Church of England, the Church of Scotland, and the Wesleyan Methodist Church, with a glebe of 100 acres for each congregation, and the surplus to build churches. The Upper House amended this bill and sent it back. The Lower House remodelled it, devoting the lands to the general uses of the Province by 20 to 18; the Upper House again amended it so as to refer the final decision to the Imperial Parliament, but restricting the appropriation to religious purposes; the bill thus amended came down at the very close of the session, and late on the night before the prorogation, when a number of members had gone home thinking the business closed, it was pushed through the House of Assembly by a majority of one vote. Sir George Arthur explained this in his despatch when the bill was sent home; but it mattered not, for the bill was infor-

mally presented and fell to the ground. Then came Lord Sydenham's Bill. It provided that the lands should be sold, and the then existing annual allowances made the first charge on the revenue: one-half of the remainder was to be divided between the Church of England and the Church of Scotland, (including the United Synod) in proportion to their numbers; and the other half was to be dealt out to the other Churches according to their proportionate strength every four years. Now, sir, it is often supposed that this bill was legalized in England, and is now the law--but it is not so. Lord Sydenham's bill was not acted upon in England, and fell through in consequence; but a new measure was framed by the Imperial Government, without any reference to the wishes of the people of Canada; it provided for the sale of the lands and the payment of all existing allowances; all the funds received from sales up to that time, were divided into three parts, of which two-thirds were given to the Church of England and one-third to the Church of Scotland; and all the funds to arise from future sales were to be divided into six parts--two-sixths to go to the Church of England, one-sixth to the Church of Scotland, and three-sixths to be retained by the Executive, and distributed (for its own political purposes, of course) among the other sects. This, sir, is the arrangement now existing. The question was wrested out of the hands of the people of Canada, and settled in this way without their consent. Gentlemen opposite have endeavoured to found much upon the allegation, that this settlement of 1840 was regarded in Canada as final, and that until very lately there has been no desire to change it. This is totally incorrect. This Church property question was undoubtedly the grand cause of the Rebellion, and so long as the old irresponsible system of Government existed, men feared to raise an excitement which might end in a second collision. The whole strength of the Reform party was therefore directed to the overturn of the oligarchical system, and the establishment of Responsible Government in its room. They felt that, that once secured, full power over all questions would be in the hands of the people, and they were well content to defer the reform of particular grievances until that great end was accomplished. (Hear, hear.) In the reign of Sir Charles Bagot, the new system was but initiated; and it is very obvious that nothing could have been done in the time of Lord Metcalfe. Many gentlemen now in this House recollect that by every species of trickery and corruption, that nobleman managed to obtain a sufficient majority in Parliament to bolster up a Ministry during a few years of misery--and it is easy to suppose how well content the Reformers must have been to let the Clergy Reserve question slumber during that dark period. But when a new election came, with the certainty of a Liberal Parliament--there was no apathy felt by the Reformers of Upper Canada. In the election contest of 1847 I took an active part, and am well conversant with the ground then taken by the Liberal party, and I have no doubt whatever that the Clergy Reserve question was the best card of the Reformers in that struggle. In several counties I aided personally in the canvass, and in all of them it was a most prominent subject of appeal. The hon. Inspector General was at that time in England, but he was returned in his absence with a majority larger by 300 than he had ever before received, and I can safely say that he owed that result to the Clergy Reserve question. And so it was in many other counties. The public mind of Upper Canada has ever been alive on this great question, and I believe there always has been, as there is now, a fixed, resolute determination to have all ecclesiastical endowments swept away for ever. (Hear, hear.) But, sir, it is needless now to argue this branch of the subject. The props of the High Churchmen have been knocked from under them, and they all, with one or two valiant exceptions, admit that the present settlement cannot be maintained. Mr. Lafontaine admitted in last Parliament that a change should be made; the hon. Provincial Secretary now tells us he is in favour of a change; the gentlemen opposite say they will not object to a new deal; aye, sir, and even Sir John Pakington advises us that he is prepared to trample on those "vested rights" we have heard so much of, and gives

his countenance to a new division. There must then be a change in the present appropriation--there is to be a change--all are agreed on that. Now, what shall that change be? There are those who say, give the Reserves fund more equally than now among the "respectable" denominations; there are those who say, divide it among all the sects, to the remotest corner of the hundred-and-nineteenth persuasion; and there are those who would give it for the maintenance of religious education, under the separate control of the clergy of the several Churches. For my part, sir, I say take it away from the clergy altogether and apply it to the secular purposes of the Province. (Hear, hear.) Do I say so from hostility to religion? Far from it.⁵ He denied that those who advocated the secularization of the Reserves, desired to give a stab to religion as had been asserted⁶. Did I think that a wound would be inflicted on religion by such a course I should be the last man to countenance it; but just because I think the cause of religion will be benefited by the change do I heartily favour the reform. All experience, I think, shows that when you reduce the Church to the position of a stipendiary of the State you endanger the public interest, you offer a sad weapon of corruption to politicians, you lower the spiritual standard of the Church, and you demoralize the clergy. In these days of great public energy, in a country where every man is profitably employed and the earth yields her fruits in such rich abundance, that Church which cannot be sustained by the voluntary offerings of the Christian people must be radically defective, and ought not to be sustained. (Hear.) Mr. Speaker, I am totally opposed to any and every connection between Church and State, in whatever shape it shows itself; and I am so, in the first place, because it is dangerous to civil liberty. What is the principle on which such a connection proceeds? On this--that Religious Truth must be supported; that the magistrate is bound to give his countenance to Religion. This is simply to place the magistrate in the place of the Almighty, and give him power to determine for the people what is Truth. What right have I to determine for my brother what his faith shall be? Will I take the responsibility off his shoulders on to mine, which he owes to his Creator, and to discharge which reason has been given him? Sir, this is too sacred a matter for us to intermediate with. Each man is accountable to his Maker for his faith, and the magistrate should leave it so. And how shall the principle be carried out, even if it were correct? How shall the magistrate find what is Truth? I believe there is such a thing--that Truth is one, and all else is error; but who can deny that for His own wise purposes the Almighty does permit that different men may use the same means with the same sincerity, and yet arrive at different conclusions? Education, habit, prejudices, affect all mankind, and tincture our most solemn convictions. Take this very assembly--how many forms of faith are represented among us; and yet, do we not differ conscientiously? If this principle is good for anything, it is universal in its application, and imperative on all its disciples. The dominant sect in every legislature and in every country must carry it out as a religious duty; and we will have in different countries the strange spectacle of the most different systems established and supported as Truth, under the operation of a professedly Christian principle. In this country, it is very obvious that Roman Catholicism would be the form of Truth established among us. And once [we] admit the principle, where shall it end? Place the magistrate in the place of God, and who shall set bounds to the authority he may arrogate? There is no check on his proceedings but his own discretion. Here, sir, he may only take the public money and the public lands for his favoured Truth: in England he may do this and a little more: in Spain he may prohibit all but his Truth to be spoken of in the country: in Tuscany he may imprison for reading the Bible: in Hungary he may banish missionaries at the word of command: and in Rome he may re-establish the Inquisition. It all proceeds on the same principle. Look back, sir, through the history of the human race--mark well the wars, the bloodshed, the tyranny, the misery engraved on its dark record, and tell me if all other causes put together

have had so large a share in producing this frightful catalogue of crime as this one principle of State-Churchism? It must ever be an overwhelming argument on the question, that if there never had been any connection between Church and State, there never ... [would have] been religious persecution. The Church might have held persecuting principles, but without the aid of the State they could not have been enforced. There is no safety, then, from the operation of such a principle, except in its total denial. But farther, sir, I am opposed to the connection between Church and State, because it is hurtful to the Religion it professes to promote. Some members of this House have been eye-witnesses of the thirty-years' strife which this Clergy Reserve question has inflicted on Upper Canada; they could tell of the violence and animosity which it produced, of the bitterness it excited between fellow-Christians--how Church has been arrayed against Church, and family against family. And what was it all about?--had religious differences anything to do with it? No, sir; it was all about money. And will the most sanguine individual say that the good effected by the endowment has not been greatly overbalanced by the injury inflicted by such unchristian scenes on the cause of religion? The whole tendency of the system is hurtful. Humility is one of the most prominent principles of Christianity,--but how opposed to this is State-Churchism? It raises the pastor above his flock, makes him independent of them--independent for life; clothes him in purple and fine linen, and separates him effectually from the great mass of society. Can a man thus placed go out and in among his people--can he minister at the dying-bed of his brother, warm with that cordial sympathy of feeling which is necessary to profit? Doubtless, sir, he may do so--men are sometimes enabled to rise above the influences around them; but I contend that these are the rare exceptions, and that, as a general rule, the system is a bar to efficiency. Human nature is the same in all men. Place a man in any situation, with a provision for life secured to him whether he does his work well or does it ill, and as soon as you do so, you will make him lazy and inefficient. The man who is educated for a State-paid Church has but one goal to pass: the question with him is not, can I edify a congregation, but can I obtain the favour of the Bishop, or the Patron, or the Lord Chancellor? Once that difficulty is passed, there he is for life--inflicted on an unfortunate congregation, perhaps for fifty years, whether they like it or dislike it. But very different is it under the voluntary principle. A man who commences studying for the pulpit must weigh well his qualifications; he must consider if he can obtain a Church by his ability, and keep it filled by his energy and zeal? And what a temptation is the connection between Church and State to ministers receiving the public money to enter the political arena? How many infidels are made by the ministers of Truth preaching one day the worthlessness of the world and its lucre, and the next squabbling for a share of it, with all the energy they can command. I know that the Truth preached should not be tested by the conduct of the preacher; but men will so test it, and we should guard well that the preachers of religion are not exposed to unnecessary temptation. Look at [the] last general election--how many Clergy Reserve stipendiaries were made active agents in the struggle, by the fear of losing their share of the endowment? In my own county, one reverend gentleman canvassed eagerly before the election, and stood at the polling booth struggling for votes as if the eternal interests of all his congregation were dependent on the result.⁷

Cries of "NAME, NAME!"⁸

MR. BROWN [resumed:] The gentlemen opposite wish to know the name. I allude to the Rev. Mr.⁹ John¹⁰ Gunn. But I have no harsh feeling against the gentleman--it is the fault of the system. Remove the temptation and there will be no such scenes.¹¹

MR. GAMBLE--Did no clergymen act so on the other side?¹²

MR. BROWN--Doubtless, there were clergymen who used influence on the Liberal side--but they were driven to it in self-defence. It is one of the evils of State-Churchism that it causes heat and violence in churches not under subsidy. But, Mr. Speaker, not only is the connection dangerous to civil liberty, and hurtful to Religion--as a mere piece of State machinery it does not meet the end. The great argument for State subsidy is that thus only will the gospel be carried to the remote corners of the land; its advocates tell us that the voluntary principle may be well enough in cities, but the State system alone will reach the wilderness. Now, I deny this, and in support of my denial I might produce conclusive proof from the ecclesiastical statistics of England, Scotland and France, that the establishments of these countries effect no such results. But time forbids, and I shall confine my argument to our own Province. There are two Churches in Canada which receive the public money--two others get a mere trifle, and the rest get none. Now, I find that in the space that elapsed between the taking of the recent Census and the one that preceded it--the Church of Scotland, one of the two favoured sects, actually decreased 16 per cent.; the Church of England, the other favoured sect, increased but 13 per cent, while the Church of Rome increased 20 per cent--the Methodists, 30 per cent--the Baptists 35 per cent--and the Presbyterians, not connected with the establishment, not less than 40 per cent. (Hear, hear.) But not only does the State-pay fail to bring the people,--it fails to furnish the ministers as fully as the voluntary system. The Church of England has 150 pastors to 223,928 people, or one minister for 1,500 persons; the Church of Scotland has 51 ministers for 57,713 people, or one to 1,130 persons; the Church of Rome has 93 priests for 167,930 people, or one to 1,805 persons; the Methodists have 382 preachers for 208,613 people, or one to 545 persons; the Baptists have 110 pastors to 45,475 people, or one to 413 persons; and the Presbyterians have 140 ministers to 146,830 people, or one to 1,040 persons. This I hold to be an overwhelming condemnation of the system of State-pay. It shows conclusively that if the Churches of England and Scotland had the Reserve money withdrawn from them, and did no more for the maintenance of the gospel by voluntary contributions than the other Churches--they would have nearly double the number of ministers they now have. (Hear, hear.) Ah, but we are told-- if the ministers of the State Churches are few,--they are planted in the wilderness where the voluntary is never seen. Far otherwise is the fact. Of the 150 clergymen of the Church of England, I find that 72 are in Toronto, 5 in Hamilton, Dundas and Ancaster, 8 in Kingston, and 26 others in 21 large towns. Fifty-one are settled among a population of about 120,000 of the rich of the earth. And the other ninety-nine are distributed among over 800,000 of the poorer portions of the community. (Hear, hear.) But, sir, even in a mere money view, the argument is against the system of State-pay. It is difficult to obtain correct statistics of the remuneration received by the clergy of the several Churches--but after much investigation I am satisfied that the ministers of the Church of England would be far better remunerated than now, were the Reserves taken away. One fact appears to me conclusive on this point. The Free Presbyterian Church was founded in Canada some seven years ago--and it has already 65,600 people--according to the census--though I think the actual number is much greater. It has 74 ministers, forty or fifty theological students or licentiates--and nearly 150 churches. These churches have all been built by subscription in the period I have named, and many of them are costly edifices. And notwithstanding this heavy drain, which has been going on for years, I see from the returns that 59 of the congregations of the Church contributed among them last year no less a sum than £13,604--or £230 11s. 9d for each congregation.¹³

MR. BOULTON--They get help from home.¹⁴

MR. BROWN--Not one penny of help.¹⁵

MR. GAMBLE--They get a thousand a year from our Government for Knox's College.¹⁶

MR. BROWN--Not one sixpence did they ever get for Knox's College, and I hope they never will. I know what the hon. gentleman alludes to; he means the thousand pound bribe offered by the Inspector General previous to the election, as a donation to Toronto Academy. Unfortunately they were Free-Churchmen who accepted that money--but the Church, as a Church, had no hand in its acceptance. True, a part of the sum was applied to [the] liquidation of a debt for which the Church was morally responsible--but I yet trust that the cry of "send back the money" will be raised throughout the Church, and the reproach of the transaction be erased from her escutcheon. (Hear, hear.) And there is another view of this money question. One would think that as the Churchmen don't pay their ministers, they would be liberal to prodigality in their contributions for religious purposes. Now how stands the fact? Why that the Church of England with her 923,000 people--and these the richest portion of the community, contributed, as a Church, in the last year for which I can find returns, but £2,693 10s. 7d. for religious purposes, or three pence per head! on the other hand, the Wesleyan Methodists with their 90,000 people, after paying their ministers, contributed £3,393 10s. 6d., or nine pence per head, and the Free-Church with only 65,000 people, after paying her ministers and building her churches, contributed no less than £3,250 for religious purposes, or one shilling per head. (Hear, hear.) A tremendous fact in proof of the hardening effect of the stipendiary system on the human sympathies.¹⁷ He did not believe that the voluntaries were naturally more liberal, but it was the effect of the establishment principle, which made those whom it affected look to the State for everything.¹⁸ But still farther, sir, I ask the secularization of the Reserves, for the sake and at the demand of the two favoured Churches themselves. Out of their own mouths does the moan of lamentation arise against the system. I hold in my hand, a Charge to the Clergy of the Diocese of Toronto, delivered in May, 1851, by "John, Lord Bishop of Toronto"--and with the leave of the House, I will read some brief extracts. "But whatever may be the result of our proceedings," says the Reverend gentleman, "in regard to the small property which still remains to the Church, whether it shall be retained or lost, the time is more than arrived when we must look the problem of supporting religion throughout this diocese in the face, and no longer shrink from grappling with its solution." And after going on to show that the whole Clergy Reserve fund is but a "small pittance," "scarcely worthy of being taken into account"--he asks "what is to be done?" And what is his reply? "There is nothing of moment left for us but the Voluntary Principle!" (Hear, hear.) And what prevents the good Bishop from carrying out the voluntary principle? Why those hateful Reserves. Hear the Bishop:--"It is not the least of the obstacles to the due working of the voluntary system, that our people have been so long accustomed to look wholly to Government for the support of religion and never to lean upon their own exertions." "They are told that ample provision has been made for the maintenance of religion by Government" and "although the true state of the matter is quite the reverse, there is no getting the unwilling to believe it; hence they do not perceive the necessity of making any efforts, and if pressed to frequently refuse even "the smallest assistance." Ah, sir, "John, Lord Bishop of Toronto" is a sagacious Scotsman, (laughter)--he sees the whole evil,--and were it not for a few little circumstances in the past, he would be here entreating us to take away the Reserves. And the good Bishop has no conscientious scruples against the voluntary system--not a bit of him. "It" (the voluntary principle) he tells us, "as all must confess, is of high antiquity. It began to be acted upon in the days of the Apostles!" Let us hope, then, that no rebellious son of the Church on the opposite side of the House will hereafter dare to cast reproach on a system so authoritatively

endorsed. And let no gentleman imagine that the full evils of the system reach the public eye. Occasionally, it is true, we get a glimpse behind the scenes--a peep into the mysteries--and one of these we got lately from an undoubted source. The Church of England is unquestionably the richest Church of Upper Canada--and the Holy Trinity of Toronto, is undoubtedly the richest congregation of that Church.¹⁹

MR. BOULTON--I know what is coming.²⁰

MR. BROWN--No doubt the gentleman knows what is coming, and it may be beneficial to let others know too. In consequence of the burning of St. James's Church, the two largest congregations are crowded into the Holy Trinity. There sit some eight of the nine supreme Judges--the city and county officials--the University Professors--the lawyers almost to a man--and many of our richest merchants and tradesmen. Now these people do not contribute one penny to the support of their ministers--their Bishop gets £1500 a year of the public cash, their Rector gets a thousand a year of the public cash, and all the little lights have each a dole. But unfortunately these magnates have to pay for their organist and their usher and the old lady who sweeps out the premises. A quarterly collection is made for this object, and it will hardly be believed that the wardens can only screw the necessary amount out of them by publishing their contributions, and holding them up to public reproach. I hold in my hand the printed copy of a circular placed in the pews of Holy Trinity in January last, and with the consent of the House I will read it. The document is signed by "Thomas D. Harris and Lewis Moffat, Church-wardens," and it opens with a careful analysis of the proceeds of the great quarterly collection, thus: 121 half-pennies--5s. 0½d.; 49 pennies--1s. 1d. (laughter); 23 three-penny bits--5s. 9d.; one four-penny--4d.; (continued laughter) 3 five-pennies--1s. 3d.; 20 six-penny pieces--10s.; 51 yorkers--£1 11s. 10½d....²¹

A voice--"What a haul!"²²

MR. BROWN [continued:] 1 tin-penny--10d.; 75 quarters--£4 13s. 9d.²³

Cries of "Oh!"²⁴

MR. BROWN:--One half-dollar--2s. 6d.; 19 one-dollar bills²⁵.

Cries of "That's the Judges"²⁶.

MR. BROWN:--£4 15s. 0d.; 2 two-dollar bills.²⁷

"That was the Bishop and the Rector"²⁸.

MR. BROWN--£1 0s. 0d.; and lastly, Mr. Speaker, there was one millionaire of a Churchman who put in a five-dollar gold piece.²⁹

Laughter--and a voice--"That must have been the Governor-General."³⁰

MR. BROWN--Total contribution of the Churchmen of Toronto at the great quarterly collection: £14 15s. 5d.! Messrs. Harris and Moffat then go on to make the following observations:--

"The Churchwardens of St. James's Cathedral are again compelled to appeal to the Congregation for means to enable them to pay off the existing liabilities of the Church, viz, servants' wages, &c. &c. They would remind the Congregation that their only sources of paying these expenses is from the voluntary amounts given to the Church at the quarterly collections; and it is with a degree of mortification that they admit that response has not been what they might reasonably have expected. The Churchwardens have at different times reflected on the propriety of discharging all the servants of the Church. They are extremely unwilling to resort to the alternative; but they feel warranted in saying that unless a better response is made

at the quarterly periods, they will be compelled at least to dismiss the Organist and Door-keepers, and reduce still further the salary of Mrs. Bolton, who has for many years had the closing of the Church."

So much, sir, for one of the favoured Churches, and now for the other. I hold in my hand the printed copy of a letter addressed "To the constituent members of the Synod of the Presbyterian Church of Canada in connection with the Church of Scotland," and signed "Robert McGill, Minister of St. Paul's Church, Montreal." The document had unquestionable authority--the author holding deservedly a high position in the Church to which he belongs. The object of the letter is to bring under the notice of the members an overture about the decaying condition of the Church--and the Rev. Gentleman shows that since the disruption in 1844, although "great exertions" have been used to procure ministers, "they have obtained but eight ministers from the Church of Scotland, and nine from other Presbyterian bodies which together with the six ministers licensed and ordained by the Synod, making a total of 23, presents only an actual increase of nine members on the roll of 1851 over that of 1845." But in fact the Rev. Gentleman afterwards shows that since the disruption in 1844 there has been a decrease of one. He then goes on to contrast this melancholy case with the progress of other Churches, and he says: "The Synod which originated by dissent in 1844 has now upon its roll 14 ministers with pastoral charges, and 6 without pastoral charges. The United Presbyterian Synod, whose origin is not too long anterior to 1844, has now on its roll 42 ministers with pastoral charges, and 3 without pastoral charge." And Mr. McGill proceeds to comment thus on these facts: "In bringing your attention to this question in all its bearings, you will not forget that in addition to the general obligations under which we are laid as Ministers, to perpetuate and extend our own Church, there are other obligations of a special kind laid upon us. We enjoy a very considerable assistance from the Clergy Reserve fund--a boon from Providence to enable us to extend our usefulness in that wide field which is spread before us. The Divine Head of the Church requires, and State too is entitled to require of us that we should care for the spiritual well-being of those thousands. If we fail in our duty, if we are constrained to testify, as we have too long testified, that notwithstanding all the advantages which the State affords us, we cannot find Ministers to supply our vacant congregations and missionary fields, there will be found among our adversaries, and by and by there will spring up faithful men among ourselves, who will not scruple to urge, in conformity with a widely prevailing wish in this Country, that the bounty of the State for religious purposes should either be transferred to more energetic hands, or be withdrawn altogether and applied to secular objects. When it shall be as well known to the public as it is to our Clergy Reserves Commissioners that there are large surplus funds, which, notwithstanding the spiritual destitution of multitudes of our people, are lying unemployed, because we can neither obtain from home, or raise up among ourselves, 'men who shall watch for souls,'--a righteous cry will go forth against us if not to destroy, to impoverish."

* * * "During the last seven years the additions to the ministry have done little more than counterbalance the waste that death and other causes have made in its ranks. We are indebted for nearly half its strength to a source that may be styled foreign in reference to the legal designation which our Church bears. WHILE, SHOULD WE TAKE OUR OMEN OF THE FUTURE FROM THE PAST, WHICH WE MAY CERTAINLY DO IF FORMER APATHY PREVAIL, THE NEXT SEVEN YEARS WILL ONLY FIND US FURTHER SUNK IN SENILITY AND DECREPITUDE." * * *

"It requires no gift of prophecy, and only a little skill in the statistics of life, in men and Churches, to predict that, unless we shall be more successful than we have been in increasing our power from healthful and legitimate sources, twenty years will not pass before the Church of Scotland in Canada, is a shapeless shadow, a heterogeneous thing which its parent will refuse to own."³¹

The reading of these extracts from Mr. McGill's letter produced marked sensation in the House.³²

MR. BROWN proceeded:--Mr. Speaker, the document needs no comment--it shows, in language stronger than I dare employ, the condition to which the State-Church principle may reduce a once vigorous society. I submit, sir, that I have made out a case for the complete, the immediate separation of Church and State in this Province, which no honest man can resist. In truth, the establishment principle is totally opposed to the genius of this hemisphere. We are laying the foundations of a great nation, ere long to people the immense country we control--let us take heed that we leave not so fearful an element of discord to rankle in our institutions and furnish cause of never-failing contention in future years. Look at the United States and say whether that republic could hold together for a year were sectarian discord added to the numerous causes of division.³³ If the United States had not adopted their present system they could not have attained their present prosperity.³⁴ The interests of religion, and the interests of the commonwealth alike demand the secularization of the Reserves. I now come, sir, to my third proposition, how shall we proceed to the work of secularization? Her Majesty's Ministers have proposed to us one mode of procedure, and I am free to admit that in view of the magnitude of the evil, the length of time the question has been hung up, and the manner in which the Ministry stand pledged to the country upon their proposal, it seems to me the veriest deception ever attempted to be palmed on an insulted community.³⁵

Ironical cheers from the Treasury benches.³⁶

MR. BROWN: To a full understanding of the matter it is necessary to look back a little on the recent history of the question, and I crave the indulgence of the House while I recall some circumstances the hon. gentlemen appear to have forgotten. I took occasion to show on the debate in reply to the Speech from the Throne, that discontent showed itself in the ranks of the Reform party on this question of the Reserves very soon after the formation of the Baldwin-Lafontaine Government; and that the feeling was greatly increased by the public statements and insinuations of the hon. member for Huron (Mr. Cameron) when he left the Government in December 1849. That hon. gentleman allied himself with a party in this House and in the country, and they commenced an organized agitation for the overthrow of the Ministry. Their chief weapon was the Clergy Reserve question; they took up the ground that the Act of 1840 did not invalidate the right given to the Provincial Parliament by the Imperial Act of 1791 to legislate upon this question; they maintained that the Ministry should pass an ordinary bill for the final settlement of the question; they ridiculed proceeding by address as a delusion to gain time; and they denounced the Ministry as traitors in the voluntary cause and the interests of their country. In the session of 1850, the hon. member for Huron and his allies took this ground on the floor of this House; and in amendment upon the resolutions of Mr. Price, they recorded their views on the journals. On 20th June, 1850, it was moved by Mr. M. Cameron, seconded by Mr. Holmes, that a committee of five members be appointed to prepare and report a bill embracing the following proposition:--

"That it is the duty of the Government to extend the same protection and the same privileges and immunities to every member of civil society;

"That as the stipends made to the Clergy of certain Christian Churches to the exclusion of others, and the great disproportion of public grants to different Churches are at variance with the first and most sacred duty of all good Governments, and as the State endowments known as the Clergy Reserves, have proved a source of great and manifold evils in this Province, obstructed the physical improvements of the country, engendering and embittering political strife and deception, and fomenting to a considerable extent mutual jealousy, distrust and alienation among the Christian Churches planted in the land; and as the Imperial Parliament have at

various times invited the attention of the Legislature to this subject, and granted us full power to manage our own local affairs; it is expedient to enact, and it shall and may be lawful for the Governor of this Province, by and with the advice of his Executive Council, to sell, grant, alienate and convey, in fee simple, all or any of the lands called Clergy Reserve Lands.

"That it is expedient that all past sales of such Lands which have been or shall be invested under the 8th Geo. 4 and 3 and 4 Vic. shall be subject to such orders as the Governor in Council shall make for investing either in the public funds of Great Britain and Ireland, the amount now funded in England, together with the proceeds hereafter to be received from the sales of all or any of the said Reserves;

"That the interests and dividends accruing upon such investments of the grounds of all Clergy Reserves sold or to be sold, and also the interest to accrue upon sales upon credit of Clergy Reserve Lands, and all rents arising from such Lands that have been or may be derived for any term of years, shall be paid to the Receiver General of this Province, or such other person or institution as shall be appointed to receive the public revenue, and shall together remain as an annual fund for the purposes of general Education."

This amendment was lost, on a division of 56 to 13--the minority consisting of Messrs. Bell, H.J. Boulton, M. Cameron, DeWitt, Fergusson, Hall, Holmes, Hopkins, McConnell, Notman, Papineau, Scott, and Thompson. The views of the honourable Inspector General and his allies prevailed,--the views of the hon. President of the Council were rejected--and a feud of the most bitter character was established as to the right course of proceeding--by bill or by address. To show the views on the question entertained by the party of the member for Huron, I will read one or two extracts from the newspapers of the day, and first I read from the Toronto Examiner of 22nd May, 1850:--"With an energetic and honest government, both the Reserve and Rectory questions might, in our opinion, have been settled long ago, by local bills. The Imperial Reserve Act was passed notoriously in violation of our Constitutional Act, and the Rectories were established by fraud. There was no hesitation--no fastidiousness in committing these high crimes and offences against the liberties and peace of this Province; and there should be no pusillanimity--no hesitation in asserting our rights, and in exercising our legislative prerogative to the very uttermost, in order to redress those wrongs." "We believe that some independent members of the Assembly and Council will introduce bills both upon the Reserves and Rectories whereby the constituencies every where may be able to judge of the fidelity of their representatives by their votes." I read next from the Brantford Herald of 29th May, 1850: "The Clergy Reserves and Rectories are in Canada and if Canadians have the management of their own affairs, they have the right to legislate upon and dispose of the Clergy Reserve lands and Rectories as they see proper, and they will do so in spite of all the Imperial and Provincial acts of Parliament, that may appear to stand as barriers in the way." The next is the Bathurst Courier of 28th June 1850--: "If Mr. Price's charm to lull Reformers into confidence does carry, what will it effect? Will it secure a safe or more speedy settlement of this vexatious question, than by the exercise of the right granted to us by the Resolutions of 1841, of settling our own local affairs? We think not. How jealous ought we to be of our rights, which have been so often trampled upon. In going to the feet of [Her] Majesty and entreating to be allowed to legislate on this matter, we are conceding too much, and opening the door to Imperial interference in other matters purely local, as well as this. The Clergy Reserves settlement by the Imperial Government never met with the approval of the Canadian people. And seeing that the Home Government, through the Colonial Secretary, time and again, expressed a wish that the question being a local one, we would settle it ourselves--seeing that the Resolutions of '41 entitle us to do so, we did not think that the slightest indignity would be manifested or want of respect shown to the Imperial authority,

by proceeding by bill at once, as Mr. Cameron proposed."

These are but specimens out of piles of extracts I might read; but they are from the special organs of the members from Norfolk and Huron and show exactly the views of that party. And what said the member for Huron (Mr. Cameron) himself! In the Examiner of 29th of May 1850, the Huron gentleman is reported to have spoken in this house, two days previous, to the following effect:--"He declared that England had shown from the beginning a willingness to consult our interests and wishes on this question, and he asked why a "strong government" should not contend for the right to legislate on the subject. We are told we must get permission. Did we not get permission to legislate as we did, upon the Tariff, directly in the face of an Imperial Act? He believed we could introduce a bill, and he was in favour of that mode of proceeding, as the most likely to effect the object in view. The ministry must settle this question, and unless they endeavoured to do so he should oppose them, and they would find that the country would oppose them."

And in the same month a public meeting on the Reserves question [was] held in the city of Toronto, at which the same hon. gentleman attended and moved an amendment to the resolutions of the Committee. The purport of his amendment, was that the meeting should call upon the then government to proceed to the immediate settlement of the Reserves and the abolition of the Rectories, as ministerial measures. He then said:--"He (Mr. Cameron) contended we had a right to settle the question, that the Home Government had wished us to do so, and that it could not be a wicked thing to do what the King of England had wished us to do. But, said Mr. Cameron, Mr. R. had told the most important fact that he (Mr. C.) had yet heard, and one that he was sure was sufficient to ensure the carrying of this amendment, viz, that the Legislature of Prince Edward had passed a bill appropriating the Reserves to education, sent it home, and the Home Government had approved of it. Let us, said Mr. C., do likewise."

Well, the address went home; Earl Grey promised acquiescence--but no bill was forthcoming. The Hon. member for Huron and his allies kept up the war--they declared the negotiations humbug, Lord Grey's promise a delusion, and that the only reality was a Canadian Act of Parliament to settle the question forever. The recess passed, Parliament once more assembled, and the ultra party went to work again to carry through their favourite measure. This time however, they changed the form of their Bill and not denying the validity of the Act of 1840, they proposed to legislate in anticipation of an Imperial Bill of sanction. When Mr. Price moved the Ministerial Address in reply to Lord Grey's Despatch, Mr. Boulton, seconded by Mr. Hopkins, moved in amendment, that "The most direct, clear, and satisfactory mode of conveying to the Queen and the Imperial Parliament, the wishes of the Legislature of Canada, on the subject of the Clergy Reserves, would be to pass an Act, containing all the provisions intended to be adopted, with a clause suspending its operations while it shall have received the express sanction of the British Parliament, a course which was most satisfactorily followed upon the subject of the Civil List in 1846." This amendment was lost 52 to 5--the minority being Messrs. Boulton, Fergusson, Hopkins, Mackenzie, and Notman. The course taken by the ministry on so reasonable and constitutional a proposal, increased the fury of the member for Huron and his allies, and added to their ranks many who had hitherto stood aloof. And to show that the ultra Liberals had not changed their views of the case, I will read a few extracts. And first I read from the Examiner of the 25th of June 1851:

"If with the law as it now stands, these declarations of successive Secretaries of State for the Colonies, and finally that of Earl Grey declaring the determination of the Home Government again to recognise the right of our local Parliament to settle this question--if with all these, Reformers have not the moral courage to pass a bill to settle it 'at once and forever' they are utterly undeserving of the

trust reposed in them, and should be every where rejected when they shall again appear before their constituents."

And again from the same paper:--

"The duty of the Government plainly was to meet the well known requirements of the country upon this mighty question, at the earliest possible period after their accession to power and at all hazards, and not to have basely bartered away its rights at the dictates of a mean and cowardly expediency. The battle has evidently again to be fought at the hustings, and upon the character and firmness of the next Assembly will the issue depend. All efforts should therefore now have reference to the approaching general election. * * Support no man as a candidate for a seat in the Assembly who will not give a distinct and unequivocal pledge to vote for the appropriation of the whole proceeds of the Reserves for general education, and for the entire abolition of the Rectories."

I read now from the Bathurst Courier of 1st July 1851:--

"The hon. H.J. Boulton proposed that an act be passed during the present Session finally disposing of this question, with a clause suspending its operation until the measure received the sanction of the Imperial Parliament. This reasonable proposition was voted down by a majority of 52 to 5. The debate was adjourned after the division, and the question was to be resumed on Thursday last. We should think the people have become heartily sick of stereotyped bunkum speeches on this question, without the desired action and fruit that they were led to expect would be the result of placing the present Ministry in power."

I read next from the Long Point Advocate of 2nd June 1851:--

"We are pleased to notice the action of Mr. Notman on this important question; and we are in hopes, if after waiting a decent time for the introduction of some measure by the Ministry to settle this vexed question, and none is introduced, he will bring forward a bill to appropriate the Clergy Reserves and Rectories to the purposes of education; if he does, he will receive the lasting gratitude of the people of Canada. The country will then know who are for them, and who are against them, who are in favour of settling this question, and who are not. Let the yeas and nays be called and let the record go forth to the country upon which they may act at the next elections."

My last extract for the present, is from the Brantford Herald of 6th August, 1851:--

"Select no man for Parliamentary honours who will not pledge himself to carry out the great principles of the party, and especially to advocate in and out of Parliament the secularization of the Clergy Reserves and the Abolition of the Rectories--and that, too, without any reference of these questions to England for Imperial legislation thereon."

These extracts, Sir, would show us if we did not all know the fact before, that there was a well defined line of separation between the two sections of the party on this vital question; and, I hesitate not to say that this was the real ground on which the late Ministry was broken up, as far as Upper Canada was concerned. But suddenly the war was stayed. In the middle of the Session of Parliament--while the forces were fiercely struggling in the mêlée--the recall-note of the hon. member for Norfolk, was heard to sound from the distant shade--and, presto, the combatants flung down their arms and embraced each other as living brothers! The proclamation went forth that all differences were made up, "without the compromise of principle." How this was done we were never told--we were permitted to inquire. The hon. member for Norfolk said so, and the hon. member for Huron endorsed it--and who dare doubt? But whatever else was kept dark, there was no question about the Reserves--retrenchment, and law Reform, and such things might stand over, but, we were assured, that the Clergy Reserve settlement was a sine qua non. And was it not worth while, we were asked, to sacrifice something for a great boon? True,

sir, the language in which all this was clothed was mysterious as the Delphic oracle--but the fair, honest meaning of the assurances conveyed to the public amounted simply to this, that the hon. Inspector General and his friends had given in to the members for Norfolk and Huron, and that the Reserves and Rectories would be settled by Bill at the first meeting of Parliament. I confess, Mr. Speaker, I was not deceived by the vague generalities of the hon. gentlemen. I knew something of the grounds of the combination, and I could not doubt that plainer language would have been used had no deception been intended. I urged the constituencies, who had members of the Government before them, to extract definite explanations ere recording a vote in their favour--and when they refused to explain, and still talked in riddles, I went before the electors of Kent, in avowed opposition, and denouncing them as traitors to the liberal cause of Upper Canada. For twenty hours, at three meetings, on his own ground, among his own friends and neighbours, I had the honour of debating with the President of the Council, the whole issue before the country--and the result of that discussion was to send me to this House as the representative of one of the first constituencies of Upper Canada, in spite of the opposition of the United Tory party, and the violent hostility of the Government and the Roman Catholics. It was not so in other counties. Full credit was placed in the sincerity of the assurances given, and to show clearly the understanding on which the Reform electors went to the Polls at the late election, I will read from a few of the more prominent ministerial papers:--

And first I read from the Huron Signal of 14th August, 1851, immediately after the formation of the coalition:--

"The people have been sadly disappointed. The great questions have been left unsettled--the grievances and abuses of which the country complained, are still in existence, and the evil of perpetuating sectarianism and State Churchism by legislation, has been rather increased than diminished. This has arisen from the conflicting elements of which the Cabinet was composed--and the fundamental error lay in the construction of the Cabinet. Every member of that Cabinet knew distinctly the deep interest which the people of Canada feel in the equitable settlement of the Reserves and Rectories questions--every member was aware that the settlement of these questions was considered paramount to all other questions in Canadian Legislation, and that the country looked confidently to the Government of 1848 for such settlement. And yet, every member of that Government must be supposed to have understood the opinions of his colleagues on these important questions. Mr. Price must have known that Mr. Baldwin was a believer in State Churchism. Mr. Baldwin must have known that Mr. Lafontaine regarded Church property and Church perquisites as a divine institution, too sacred to be interfered with. In short, every member of the Government must have felt the conviction that a settlement of the question by that Government was morally impossible. And, hence, we cannot rationally avoid the conclusion that the formation of such a Cabinet, under such circumstances, was a dishonest act--was literally a hoax played upon the people, and could not fail to end in confusion and disappointment."

This article I presume was from the pen of Mr. McQueen, the friend and protégée [sic] of the President of the Council, and now editor of the Hamilton Canadian. I think it expresses clearly and forcibly, the issue which was forced on the Reform party at the late election. The late ministry was a deception and a juggle--it was said--and the present one has seen the crime and detests it. Will any member of this House now venture to rise in his place, and say that the construction of the present Ministry was one whit different from the last? I next read from the Niagara Mail of 20th August, 1851:--

"The dissensions which have broken out in the Reform party are of a nature too stubborn to be smoothed down by soft talk and courtly insinuations. We must have something more tangible than bare generalities. For instance the Examiner

recommends, that there be a searching inquiry into every candidate's soundness and fidelity upon all vital points of civil and religious liberty--the secularization of the Reserves, the Rectory question, Parliamentary, electoral and other progressive reforms, demanded by the people. All very well, but the Examiner does not tell us what are the ultimate resolutions of 'his friends,' who are to come into the cabinet upon these cardinal points. We have the greatest confidence in Dr. Rolph's ability and patriotism, but we ask the Examiner what course is he prepared to take on a possible rejection by a Lower Canada vote of a bill to apply the Clergy Reserves to purposes of education?"

Here the issue is clearly brought out by an independent Journal--to that issue the public mind was keenly directed--and every effort was made to meet it by smooth assurances. I read now from the Dundas Warder, a most able and independent paper, of 18 Dec. 1851:--

"The people have to depend on the Government, on the integrity of Dr. Rolph, which we have never for one moment doubted; but it were [sic] 'a weakness and a wickedness' to demand of one man to contend against an array of opponents such as compose the Council, whose sentiments, as far as they have been shown, on certain vital question, did not harmonise with his. We shall, however, wait with patience and contentment for the opportunity of the Legislature, and of the Government, for having something before the country. We have hope of the disposal of the Clergy Reserves. The action of the Government, we have reason to expect, will be able to endeavour to pass an Act of the Canadian Parliament subject to the assent of the Imperial Government."

I next read from the Examiner of 17 Dec. 1851:--

"Mr. Hincks knows full well that it was the part he took in setting public opinion contemptuously at defiance, upon the Reserves and Rectories, that brought him to the brink of political destruction. He knows, also, that he has been saved from official ruin, only by allying himself with Dr. Rolph, whose views are well known to harmonize with public sentiment upon it. He should also know that the cool and deliberate treachery of Baldwin, upon the same question, has completely destroyed his popularity in his own Riding, and throughout the Province. Whatever may be Mr. Hincks' opinion of the course pursued by himself and his colleagues, upon these questions, the opinion of the country is diametrically opposed to it, and we think it unbiased and just. The duty of an honest Government was to carry a measure of such pre-eminent importance early and with vigour, or otherwise to resign. Which measure we ask, was most imperatively demanded by the country, an amended Court of Chancery, or an amended law relating to the Reserves and Rectories?"

The Brockville Recorder, the organ of the Attorney General West, comes next in order. It is dated the 23d October, 1851:--

"In claiming for the ministry this support, we have faith they will exact themselves for the abolition of the Rectories, that they will bring forward a scheme for the secularization of the Clergy Reserves, that they will oppose the granting of any more religious corporations." * * *

"These are the measures we seek the ministry to legislate upon, and believing they will do so, and that these measures are such as the welfare of the country demands, we claim for the new government the undivided support of the Reform electors of Leeds."³⁷

MR. INSP. GEN. HINCKS protested against the reading of newspaper articles in this manner. What has the Government to do with what the Editors of newspapers read?³⁸

MR. BROWN--They have everything to do with it. The extracts I am reading show the assurances given to the Country on behalf of the Government--on these assurances the electors voted--and those ministers who looked on in silence were particeps criminale in the deception, if deception there had been. But if the house wishes

it, I will discontinue reading.³⁹

Cries of go on, go on.⁴⁰

MR. BROWN--A St. Catharines Reform paper is the next I read from. It spoke thus:--

"The Reserve and Rectory Bills, however, must be brought in as Ministerial measures, else Messrs. Rolph, Cameron, and Hincks too, are bound to resign. There must be no more shamming Abraham, as was the case with the Baldwin-Lafontaine cabinet. Whatever be the result, those three ministers are pledged to make them cabinet measures, or cut the connection with Messrs. Morin, Taché, & Co."

The Hamilton Canadian quoted the last extract, and commented on it thus:--

"This sentiment is entertained by the whole Reformers of Upper Canada. Almost every man of the party is sworn that these Ministers are pledged to these great questions--are, in fact, united to the Cabinet exclusively on these questions. Mr. Cameron, in his speech, declared that if the great question of the Reserves was not introduced as a Ministerial measure, and settled to the satisfaction of the country, he, for one, would not crave another moment's confidence and affection as a member of the Government."

But the hon. gentlemen object to newspaper articles. Let me give them some of their own sayings and doings. I hold in my hand the Norfolk Messenger, of 27th November, 1851. This paper is the organ of the hon. Commissioner of Crown Lands, in his county, and if he does not owe his return entirely to its advocacy, at any rate it conduced greatly to his success. The Messenger gives in this number a full account of the Norfolk nomination, with the hustings speeches and proceedings. In that report, I find the following words:--

"THE HON. GENTLEMAN (DR. ROLPH) PROCEEDED TO ADDRESS THE MULTITUDE IN A SPEECH OF NEARLY TWO HOURS DURATION, DURING THE DELIVERY OF WHICH THE MOST PROFOUND AND RESPECTFUL ATTENTION WERE MAINTAINED, ON THE CLERGY RESERVES, RECTORIES, AND FREE TRADE QUESTIONS. HE FULLY EXPLAINED HIS VIEWS. THE TWO FIRST, HE SAID, WOULD BE DECIDED ACCORDING TO THE WELL UNDERSTOOD WISHES OF THE PEOPLE. THE CABINET WERE FULLY AND UNANIMOUSLY AGREED ON SECULARIZING THE RESERVES, AND A BILL WITH THAT OBJECT IN VIEW WOULD IMMEDIATELY, ON THE ASSEMBLING OF PARLIAMENT, BE BROUGHT IN BY THE GOVERNMENT."⁴¹

The reading of this extract produced marked sensation--all eyes were turned on MR. COM. CR. LANDS ROLPH--when the honourable gentleman rose and said he did not catch the precise words attributed to him.⁴²

MR. BROWN--Here is the paper--you can have it.⁴³

Cries of read again, read again.⁴⁴

MR. BROWN--read the words a second time and proceeded: And, sir, in the same paper, I find a little extract for the hon. Inspector General. It is this:--

"BY AN EXTRACT OF THE NEW PAPER LATELY ESTABLISHED AT WOODSTOCK, WE LEARN THAT JOHN SCATCHERD, WILLIAM CARROLL, AND ELIAKIM MALCOLM, ESQUIRES, RESIGNED ALL THEIR CLAIMS IN FAVOUR OF MR. HINCKS--THAT GENTLEMAN HAVING FIRST PLEDGED HIMSELF TO SETTLE THE CLERGY RESERVE QUESTION BY BILL, MAKING IT A GOVERNMENT MEASURE, TO ABOLISH THE RECTORIES, AND EQUALIZE THE REPRESENTATION."⁴⁵

MR. INSP. GEN. HINCKS said these extracts were totally false and published by papers which had not the means of knowing anything about the matter. He protested against reading newspapers, and called on the Speaker to stop it going on.⁴⁶

MR. H. SMITH said that the hon. member was very much annoyed at the reading of newspapers now, but the other night Dr. Rolph had read two entire columns of the Globe.⁴⁷

MR. MACKENZIE said that the Inspector General had quoted newspapers to the Secretary of the Colonies, and an hon. member had the other night read a great deal from the Christian Guardian. He did not see why it should be stopped now.⁴⁸

MR. PRES. EX. COUN. CAMERON had no objection to reading newspapers; but no gentleman had a right to make members responsible for statements that occurred in mere editorial squabbles at election time.⁴⁹

Cries of, by your own party editors.⁵⁰

MR. J. S. MACDONALD the SPEAKER said that his attention being called to the subject, he must decide that the reading of papers must depend on the patience of the House.⁵¹

MR. BROWN did not wonder that the hon. member was angry at such extracts being read.⁵²

MR. INSP. GEN. HINCKS did not like to hear what was false.⁵³

MR. BROWN--It is not what is false, but what is true that gentlemen don't like to hear. There are ten men in Oxford who will⁵⁴ confirm⁵⁵ that they carried away the impression given by the Messenger, from their interview with the Inspector General.⁵⁶

MR. INSP. GEN. HINCKS--Well, that's false.⁵⁷

MR. BROWN: Their impressions may have been false.⁵⁸ I dare say it may not be precisely correct, so far as precise words are concerned; but⁵⁹ I have no doubt the hon. Inspector-General and his learned colleague from Norfolk, talked in such mystified language that it was hard to understand them--and that their auditors jumped to conclusions in the warmth of their hearts which a close analysis of the phraseology might not have justified. But what I wish to impress on this House is, that such mystification was necessary to the carrying of the elections, that the reporters and editors took away certain impressions from what was said, and published them to the world without contradiction--and that these statements decided the elections.⁶⁰ Ministers spoke so that no one could tell a mountain from a molehill, and [in] this [way] they gained their purpose.⁶¹ The conductors of the Messenger and the Woodstock Progress were not likely to be both deceived by their ears, by two different speakers--yet they both united in the same tale--and both reports, as far as I know have gone uncontradicted to this hour. (Hear, hear.) Now, Mr. Speaker, I will read no more extracts, as it so seriously alarms the gentlemen on the Treasury benches--but I submit I have proved beyond a question that the present Ministry stood pledged before the country by events previous to the elections and at them to settle the Reserve question by a bill at the first opening of Parliament. Parliament has met--and what do we find? That the whole thing is a delusion; that the Clear Grit clamour of the last three years about a Reserve Bill was a mere clamour for office; that the combinations effect nothing whatever towards a settlement of the question; that this model Government, as a Government, has no opinion upon the secularization of the Reserves--but shirks the main issue upon a mere point of detail; that the Premier, speaking for the Government, declares the past assertions of his new colleagues a deception--and that "we have no power to pass a bill and no minister dare advise the crown to assent to it;" that the Premier, speaking for the Government declares "the bill of Mr. Boulton was so ridiculous that it could only have been intended to embarrass the Government;" and finally, that the Premier, speaking for the Government, declares that the course pursued by Mr. Price, for which he was denounced by the present ministry and their organs and rejected by the electors of South York--was the only constitutional course which could then or even now be followed! Yes, Mr. Speaker, --we have heard all this--and the hon. member for Norfolk and the hon. member for

Huron, sit fast in their seats and do not hurl defiance at their tormentor! Are these declarations of the Inspector General now the sentiments of the hon. gentlemen for Norfolk and Huron? The hon. member for Norfolk, unlike his colleague has not recorded his vote on our journals in direct hostility to the declarations of the Premier--but who does not know that from him first came the suggestion of a bill--and that he was the secret instigator of the agitation on that head? Do these gentlemen now admit that all their proceedings of 1850 and 1851 were but a paltry squabble for office? By the machinations of those gentlemen, on this very question, Robert Baldwin and James Hervey Price were broken down--and yet there they stand unblushingly to maintain the identical policy of these statesmen! Was ever such a scene witnessed among civilized men? Have these two honourable gentlemen no sense of feeling? Are they dead to every sensation but the base love of office? Let us pass from the theme--it is too melancholy to dwell upon. If it is wrong for the Government to proceed by address rather than by bill in the face of these promises--how much more is it to shirk the main question of secularization and take up a mere minor issue to tickle the public ear. These resolutions leave the whole question untouched--and can only be regarded as a decoy to waste time. And mark the trickery of the language.⁶² Mr. Brown then turned to the employment of the words "collision" in the report⁶³. Do they think by using hard words to hoodwink the people of Canada into a belief of their earnestness? Don't let them imagine it. The people of Upper Canada, Mr. Speaker, will resent the threat of rebellion openly made in the address. Sir, we have been told by the Inspector General what great Statesmen should do and should not do, but a more unstatesman-like proceeding than this the world never witnessed. What sir:--these men are the same Ministers of the Crown of England and they put the thoughts of rebellion into the minds of the people--they dare to tell their Sovereign that unless a thing is done in just such a way and at just such a time as they demand, they will take up the bayonet and commence a civil war! Is this the sense of their duty as Ministers of the Crown? Is this the way they maintain the credit of the country--to blazon to the world that Canada is on the brink of a great convulsion? Sir, as a young member of this House I refrained from rising--but I did listen with utter astonishment to the member for Huron when he declared his readiness now to take up arms on this question--and I did wonder that he was allowed to proceed without rebuke. Is this the gravity and discretion the mass of the people are to be taught by members of this House? No man in Canada feels more strongly than I do on this question. No one will stand up more firmly for the rights [of] our country when they are really endangered--but I confess I have no sympathy with this fustian about "collision." The difficulty in the way of a settlement of the Reserves question is not in England--it is here. Let the voice of the people of Canada be heard from this Chamber plainly and respectfully, and there will be no serious opposition from Great Britain. What is it she has denied to us? The most valuable rights have of late years been conceded without a murmur--rights which never before were granted to a Colony. One or two demands yet remain to be satisfied, but it were [sic] utterly unjust to doubt that in these too, justice will be done. Sir, the Government, to cloak their own infidelity, have endeavoured to raise the cry of hostility to Great Britain, but I submit that as far as yet [it] has appeared no cause has been given for it. How readily did Earl Grey respond to our demand? Was there the slightest hesitation on his part? And under all the circumstances could a more favourable despatch have reasonably been expected from the present Colonial Secretary? A High-Churchman himself, he is a member of a High-Church Government; High-Church misrepresentation has been doubtless impressed upon him from this country as well as at home; the alleged satisfaction of the people with the present settlement has been dinned into his ears, numerous petitions containing contra sentiments have been sent from Canada; and he has been doubtless told that the result of the late election was a triumph for State-Churchism. For my part, I only wonder that, in

the face of these circumstances, he sent us such a Despatch. Why even the Inspector General was forced with strange inconsistencies to admit that the document could only be regarded as favourable to our object. And yet, we are called upon to hurl defiance and threats of rebellion with our address! Such conduct is not only unstatesmanlike--it is puerile in the extreme and stamped with the basest ingratitude. (Hear, hear.) Mr. Speaker, the resolutions I propose for the adoption of the house are framed so as to bring up the whole subject of the settlement of the Reserves--in the manner which it appears to me the Country expects. They present three propositions; first, that the Government should have an opinion, as a Government, as to the future appropriation; second, that the feeling of this house should be now tested on the question of secularization, in any action that is taken; and third, that the whole matter should be settled forever, this Session, as far as Canada is concerned. On the first of these points it is strange that at the present moment there should be a shadow of doubt. Again and again, we have been told the Cabinet is perfectly united and harmonious, on every possible subject--not even the Chief Commissioner of Public Works having an opinion out of tune. The Hon. Commissioner of Crown Lands tells us all his Colleagues are "excellent Reformers," surpassing his most sanguine expectations. And yet how incongruous are their declarations on this prominent question! The Hon. Commissioner of Crown Lands is reported to have said on the address that the Ministry would stand or fall by the secularization of the Reserves; the Hon. President of the Council declared that the Ministry were pledged to settle the question according to the views of the majority of this house; the Hon. Provincial Secretary declared that he had no objections to the transference of the controul, but he pronounced no opinion as to the future appropriation, as the question had not yet arisen; and finding all this was unsatisfactory, the Hon. Inspector General rose last night to reconcile it if he could. And what did he then tell us? Why, that when the Ministry was formed he had talked with the Provincial Secretary on the subject of the Reserves; that the Secretary agreed to make the address now before us a ministerial question, and had satisfied him that when the point of appropriation arose, he would go with him (Mr. Hincks.) The Hon. Provincial Secretary sat beside him, while he spoke and I am sure all must have wondered that he needed an interpreter. The Hon. Gentleman is of age.--Why was he not allowed to speak for himself?--(Laughter.) Why all the mystery and mystification? Truth and candour need no such refuge.⁶⁴

MR. INSP. GEN. HINCKS.--To avoid any further misunderstanding, I think it right to explain that the hon. Provincial Secretary stated at the formation of the ministry, that he would first of all go with his colleagues for obtaining control of the Clergy Reserves for the Canadian Parliament, and that when that was obtained he would go for the secularization of the Reserves.⁶⁵

MR. BROWN.--Ah, at last we have elicited a declaration! (Hear, hear.) And what is that declaration? That the Cabinet was constructed on the agreement to proceed by address and not by bill, and that to that extent only, the ministry, as a Government, were committed. I ask the members for Norfolk and Huron to explain to this House how in spite of all their solemn declarations that the Provincial Parliament has the power to settle the question at once by bill--how they dared consent to hang up legislation until an Imperial Act shall be passed--for what? Why, to give us a power, which they say we have already! (Hear, hear.)⁶⁶

MR. PRES. EX. COUN. CAMERON said, with much warmth, that it was false that he had expressed such a conviction, and being called to order, stated more calmly that no one had ever had or would have the opinion from ... anything he had ever said or done, that the House would legislate on this subject without action in England!⁶⁷

MR. BROWN.--That is the most astounding statement I ever heard made. Does the hon. gentleman mean to deny that he held the Act of 1791 to be unaffected by the

Act of 1840--that he contended that we still hold the power of legislating as given by that Act--and that he proposed immediate legislation on this hypothesis? But, sir, not only should we have a frank declaration of the Cabinet as to the future appropriation of the Reserves--we ought to have on record the opinions of members of the House on the question of secularization.⁶⁸ At present he confessed that he did not wish to obtain the control of this property for the House, without a knowledge as to the course to be taken.⁶⁹

Ironical hear, hears, from the Treasury Benches.⁷⁰

MR. BROWN.--The hon. Inspector General tells us, "don't be afraid--trust to the good sense of this House"--a most dexterous way of putting the point. I do not doubt the "good sense" of my neighbour because he differs from me in opinion --and who can shut his eyes to the fact that a great difference of opinion on this question exists even on the Ministerial side of the House? The present House is little different from the last, notwithstanding the famous Combinations, and if our "good sense" is to be like the "good sense" of our predecessors in last session of Parliament, I do not desire to acquire any new powers for us on ecclesiastical subjects. Make the question of secularization an open question to-morrow, and who imagines it would be carried? Make it a Ministerial question, and even then the majority will be far from large. What does all this coyness of the Provincial Secretary and his Lower Canada colleagues arise from? What but from the knowledge that they may be out of office to-morrow, and that committal on this question may embarrass them in forming a new alliance? Can we shut our eyes to the restlessness all around us? Does not every member of this House discuss every day the probability of an early change in parties?⁷¹

Ironical hear, hears, from the Treasury Benches.⁷²

MR. BROWN.--The hon. gentlemen cry hear, hear,--but let them take warning. They will not always be able to lash up their followers to the mark, as they did the other night. I trust the spectacle will not often be presented to this House, of men, pledged before the country and their constituents to a certain course on so important a public question as the election of county officers, being whipped up to vote against their conscientious convictions.⁷³ It was only by whipping up their supporters in the most violent way, that ministers got them into the harness. Perhaps they might not always succeed in thus whipping up their friends; and it was, therefore, he wanted a pledge.⁷⁴ Either such things can be done again or they cannot. If they cannot, the end will soon be; if they can, I don't want to trust the "good sense" of the House on the Reserve question, any further than is necessary. I should greatly fear that the old views of the Inspector General would return to him, and that his followers would be whipped up to divide the plunder among the sects. If we are to have a division in the Reform ranks on secularization, let us have it now. If our allies from Lower Canada mean to aid us in obtaining justice, let them say so now. If all is sincerity--why all this mystery? If the members of the Government from Upper Canada sincerely desire secularization and prefer their principles to office they can offer no excuse for losing the present opportunity of pledging their supporters to that principle. The day when they can do so, may soon pass--let them look to their responsibility.⁷⁵ Why was not this pledge given? Simply because ministers wanted to provide for future political exigencies, and, therefore, took care not to bind themselves to anything by the record. If this were not so, what would be more easy than for them to say at once what should be ultimately done with the property?⁷⁶ And now, Mr. Speaker, I proceed to my third point--that the action of this house should be by Bill and not by address. I am free to admit that as between the Provincial Parliament and Home Government, an argument may fairly be maintained as to the merits of these two modes of proceeding--but as between this house and the people

of Canada there can be none. The verdict of the people has been given on that point and to satisfy the public demand there is but one course open to us. And though men may conscientiously differ on the point, it does appear to me that they ought not to do so--that the argument for a bill, even as regards the home government, is clear and insuperable. True, the hon. Inspector General says we cannot pass a bill--it is unconstitutional and cannot be done. The simple answer to this is, that it has been done and done by himself as a minister of the Crown. It was done on the Civil List question, and on the Post office question, directly in the teeth of Imperial Statutes; and, Sir, I have high Imperial authority for saying that it can be done. The Canadian Constitutional Act of 1791 empowered the Provincial Parliament to legislate on the Clergy Reserve question, but with the proviso that all such bills must be laid on the tables of the Lords and Commons for thirty days ere the Royal Assent should be given to them. When the Provincial Act of 1839, on this question, went home, Lord John Russell (23rd March 1840) laid it on the table of both Houses, and announced his intention to advise the Queen to assent to it, should no adverse action be taken by either House within the thirty days. In the debate which ensued in the House of Lords, the Earl of Ripon said:--" * * * But it (the Canadian Act) not only repeals clauses appropriating the Reserves, which it had the power to deal with by the Act 31st George III, but it also repeals another Act passed in 1827, which did not contain a clause authorising the Canadian Legislature to deal with it at all." * * * "If the Legislature of Canada had no right, by its own authority, to repeal the Act of 1827, this Act cannot be valid in reality, even though the Crown should give its assent to it."

"VISCOUNT MELBOURNE,--You may have an Act rendering it valid."

"THE EARL OF RIPON,--You may have an Act, yes, that is the real, true, constitutional remedy. (Mirror of Parlt. p. 2377.)"

"Accordingly on the 9th April, Lord John Russell introduced a Bill to legalize that portion of the Canadian Act which affected the statute 7 and 8 Geo. IV. (Ibid. p. 2481.)"

"Again, on the 13th April, Lord John Russell in answer to a question from Mr. Pakington, repeated that the Canadian Bill 'went to repeal a clause of the 7th and 8th George IV, and that it could, so far, have no legal effect, unless it were confirmed by Act of Parliament.'"

Here are three eminent authorities for the course I advocate, to whose opinion even the Inspector General might not refuse to bow. But, sir, if the assurance of the first of English Statesmen, and the fact that the thing has been repeatedly done, is not sufficient to prove the constitutionality of the course I urge upon the House--I have another authority to whose opinion, I doubt not all will yield. I hold in my hand the Examiner of 26th June 1850, and in it I find a speech of the hon. Malcolm Cameron (laughter) written out in extenso by the gentleman himself; and in that speech I find the following passages.

"I am clearly of opinion that our right was to legislate and that by a bill brought in and supported by the full influence of the government, to be sent home, accompanied by despatches representing the state of feeling in the country, the facts of the case, and if necessary, accompanied by a member of the government to support the policy pursued."

* * * * *

"Mr. Speaker, it is unjust, dishonest and jesuitical, to obtain votes under false pretences--to profess, for the sake of mere pretension, a policy; the object of which was totally different. I feel that the government should say what they mean to do with these lands, if they had them; they should be more definite in their policy. And who will dare deny that they were solemnly bound by the Reform party to make this a cabinet question, let who would go out or come in?" *

"Mr. Speaker, there is no concealing the fact, the country has been deceived

and should wait no longer. The act of 1827 had not been alluded to in the debate--it provided for the sale of one-fourth of the Reserves, for religious purposes. 100,000 annually might be sold. And did this prevent the Legislature of Canada in 1828, and from that till 1840, from passing 13 bills directly in the face of the Imperial Acts of 1791, and of 1827. THE FACT WAS, THE POWER TO VARY OR REPEAL WAS NOT REPEALED BY THE BILL OF 1827, AND IS NOT REPEALED BY THE UNION ACT, NOR BY THE BILL OF 1840; AND HE DEFIED ANY LAWYER TO SHEW IT. WE HAVE THE SAME RIGHT WE EVER HAD--THE SAME RIGHT WE HAD TO LEGISLATE BEFOREHAND ON DISCRIMINATING DUTIES, ON THE POST OFFICE, OR THE CIVIL LIST, AND IT IS THE WAY TO ACCOMPLISH THE OBJECT, AND IT IS THE WAY TO ASSERT OUR RIGHT TO LOCAL SELF GOVERNMENT, AND IN THIS CONSISTS THE VERY ESSENCE OF RESPONSIBLE GOVERNMENT."

These were the honourable gentleman's sentiments in 1850,--and surely the possession of a paltry office cannot have changed them? I have seen it argued that the case is altered since then--that the address of Mr. Price changed the position of the question. In what way did it change it? Will any man contend that if, in 1850, we had the right of legislation by Imperial statute, as alleged by the hon. member for Huron, that the sending of a single letter to the Colonial Office did away that right? If that right existed then, it exists now, and every argument in its favour then, is ten fold stronger now. But the Inspector General says, by an address only one question is presented--the local right of self-government--while by a Bill the question is presented in all its details. Sir, there may have been a time when this argument had force--but it has none now. The Hon. gentleman's bug-bear cry about the Bishops is as good against the one course as against the other. Does he think the gentlemen of the lawn sleeves have not had their eyes on the question and watched every movement and know the purpose of the people of Canada as to secularization? Does he think the Churchmen here will allow them to close their eyes to all this, if they were so inclined? The Hon. gentleman knows as well as any member of this House that in whatever way you attempt to present it, the whole question will come before the Imperial Parliament; and it appears to me it will be far more honourable and far more likely to command respect and to convince men of our resolute determination to carry our point--if we speak out frankly and fully our whole mind. But the hon. gentleman appeals to our national honour--and asks us with the air of a double-distilled patriot,--Will you submit to have the Imperial Parliament interfering in our local affairs? It is his resolutions that do this--my Bill does nothing of the kind. He goes on his knees asking the Home Government to initiate the movement--I settle the whole question in Canada and merely ask the Imperial endorsement. A Bill leaves but one point open--the Imperial endorsement; and that once effected, the question is ended forever. An address asking forward action may long lie neglected--a bill must either be granted at once or rejected at once--and we will then know precisely where we are. And who does not know that men will often neglect to act when if forced to act they would hesitate to resist a public demand with possible evil results before them. But the overwhelming argument for a Bill is, that it settles the whole question forever as far as Canada is concerned. The ministry would have a battle with him now, a battle in England, battles without number for further addresses to back up this one: and after the final battle is fought and won in England--the whole question is once more to be fought over again here! Are they then so fond of this injurious agitation? Are we never to make an end of this question even with such a house as this? Is it to be retained for another electoral contest? I trust not. There are some gentlemen who profess to be in favour of a bill with a suspending clause, and others who favour a bill without such a clause. I have framed my resolution so that both may vote for it--the shape of the bill is left to the discretion of the committee under the future correction of this House. Every honest argument is in favour of the action proposed in my resolution--and the people of Upper Canada will say so when the case is fully before

them. Already a sound public opinion begins to be exhibited. I hold in my hand late extracts from a number of the leading Reform papers of Upper Canada in reference to the ministerial action on the Reserves, and with the leave of the house I will read some of them. (Mr. Brown here read extracts from the Toronto Examiner, the Lambton Shield, the London Free Press, the Brockville Recorder, the Galt Reformer, the Elora Backwoodsman, the Paris Star, the Niagara Mail, and the Guelph Advertiser, censuring the ministerial resolution. He then resumed:--) The hon. Inspector General says the ministers are all honest, all as desirous of a settlement of the question as any member of the house--and he thinks we ought not to suspect them. Sir, the country has good reason to be suspicious. The famous dispatch of the head of the Government regretting the Reserve agitation, has not been forgotten--the speeches of the Inspector General of last session have not been forgotten--the outrageous votes of last session cannot be forgotten--the monstrous Rectory Law-suit now going on is a complete bar to faith in their sincerity. But, Sir, if they are really sincere--now is the time to show it. Let them stand forth manfully, and declare their sentiments on the future application of the Reserves--let them appeal to this House to support them--let them stand or fall by that appeal, and then we may begin to imagine them in earnest. And there is another way of showing their sincerity. There is a large portion of the Reserves over which they have entire control, without any reference to the Imperial Parliament. An error was made in the laying out of the Reserves by which over half a million of acres were illegally set apart. There is no doubt as to the fact--but I will read documents to establish it. (Mr. Brown here read the evidence of Messrs. Davidson and Radenhurst before the Imperial Commissioners in 1839, and the report upon that evidence by Mr. Hanson; also the following extract from Lord Durham's report:--)

"The system of Clergy Reserves was established by the Act of 1791, commonly called the Constitutional Act, which directed that in respect of all grants made by the Crown, a quantity equal to one-seventh of the land so granted should be reserved for the clergy. A quantity equal to one-seventh of all grants would be one-eighth of each township or of the public land. Instead of this proportion the practice has been, ever since the Act passed, and in the clearest violation of its provisions, to set apart for the clergy in Upper Canada a seventh of all the land, which is a quantity equal to a sixth of the land granted. There have been thus appropriated 300,000 acres, which legally, it is manifest, belong to the public. And of the amount for which Clergy Reserves have been sold in that Province, namely £317,000 (Of which about £100,000 have been already received and invested in the English funds) the sum of about £45,000 should belong to the public.

"In Lower Canada the same violation of the law has taken place, with this difference, that upon every sale of Crown and Clergy [reserves] a fresh reserve for the clergy has been made ... to a fifth of such reserves. The result has been the appropriation for the clergy of 673,567 acres, instead of 446,000, being an excess of 227,559 acres, or half as much again as they ought to have received. The Lower Canada fund, already produced by sales, amounts to £50,000, of which, therefore, a third, or about £16,000 belong to the public. If without any reform of this abuse, the whole of the unsold Clergy Reserves in both provinces should fetch the average price at which such lands have hitherto sold, the public would be wronged to the amount of about £280,000, and the reform of this abuse will produce a certain and almost immediate gain to the public of £60,000."

Now, sir, if the ministry are sincere, let them begin with this abuse and settle it at once. I have brought it up in one of my resolutions, and they cannot hesitate to adopt it. The Imperial Act only applies to lands legally set

apart, all other lands are fully under our control. If they shrink from testing the House on the question of secularization--if they refuse to redeem their promises to proceed by bill--and if they leave this half million of acres voluntarily in the hands of the churchmen--how can we have any faith in their sincerity?

Mr. Speaker, I have done. I feel that an apology is due to the House for the length of time I have occupied. But I felt that I could not discharge my duty to the country without entering upon a full elucidation of the whole subject under consideration, add [sic] it only remains for me to express my deep and sincere gratitude for the kind manner in which the attention of the House has been extended to me for so many hours.⁷⁷

[He then] moved the following resolutions ... [in] amendment to those proposed by Mr. Hincks:

"That this House deeply regrets that [the] Government in bringing the subject of the Clergy Reserves again before Parliament, has refrained from the expression of any opinion, as a Government, upon that future appropriation--the real issue of the question.

2. Resolved, That the final settlement of this exciting question, most consonant with the feelings of the people of Canada, would be the diversion of the Clergy Reserves land and funds from all ecclesiastical and church purposes whatever, and their application to the support of a general system of secular education, whereby persons of all classes of society and of all Religious creeds, may alike profit.

3. Resolved, That a select Committee of five Members of this House be appointed to prepare and report to this House, with all convenient speed, the Draft of a bill, framed in consistency with the powers of the Parliament of Canada, providing for the speedy sale of the Clergy Reserve lands to actual settlers, and for the appropriation of the funds heretofore legally derived, or to be hereafter derived, from the sale of such Clergy Reserve lands to the maintenance [sic] of Common Schools. Also, to prepare and to report to this house, for the adoption of this House, and to accompany the aforesaid Bill when it shall, in due course, be transmitted to her Majesty, the draft of an humble address to Her Most Gracious Majesty, expressing the deep regret of this House at the contents of the despatch of the Right Honourable Sir John Pakington, Her Majesty's Principle Secretary of State for the Colonies, dated the 22nd April, 1852,--reminding her Majesty that the settlement of the Reserve question, in the words of the despatch of the Right Honorable Earl Grey, "is one so exclusively effecting the people of Canada, that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs to regulate all matters concerning the domestic interests of the Province,"--assuring her Majesty that the settlement provided for in the Bill aforesaid is in union with the opinions of the people of Canada and of their representatives, and is the only one which will ever be held as final--assuring Her Majesty that very strong feelings prevail among the people of Canada on this subject, and that consequences deeply and lamentably affecting the prosperity of this Colony may be apprehended, if the feelings of the people are overruled by Imperial power--and earnestly urging that the said Bill may receive the Imperial sanction. The said Committee to consist of the Hon. Malcolm Cameron, the Hon. L. J. Papineau, Mr. Mackenzie, Mr. Fergusson and the Mover.

4. Resolved, That the Constitutional Act, 31st Geo. III, cap. 31, directed that in respect of all grants of land made in the Province of Canada by the Crown, a quantity equal to one-seventh of the land so granted should be reserved for the support of a Protestant Clergy, being one-eighth of each Township; that instead of this proportion, and in direct violation of the Imperial Statute forming the only authority for the Reserve, there was actually set aside in Upper

Canada as Clergy Reserves, by fraud or error, one-seventh of all the land, or a quantity equal to one-sixth of the land granted; that the same violation of the Act occurred in Lower Canada, but to a greater extent,--a quantity equal to one-fifth of the land alienated having been reserved for the Clergy, instead of one-seventh; that the public domain was thereby wrongfully divested of 300,000 acres in Upper Canada, and 227,559 acres in Lower Canada, or, in all, of 527,559 acres of land; and, therefore, that this said select Committee be further instructed to prepare and report to this House, a measure providing for the Clergy Reserve fund, of the money received in payment of lands so wrongfully set apart, and for the appropriation of such money, and of the land so wrongfully set apart and yet unsold, to the maintenance of Common Schools."⁷⁸

MR. FERGUSSON in seconding the motion, did not agree with all that had been said by the hon. member. He thought the resolutions moved by the inspector General very well as between the colony and the mother country; but as between the people and the ministers, he conceived that a bolder and more distinct action might have been justly expected, especially a more distinct declaration of the intention to secularize the lands, when the control was obtained.⁷⁹

MR. INSP. GEN. HINCKS said that intention was expressed in the answer to the speech.⁸⁰

MR. FERGUSSON professed not to have perceived any such expression, and sat down after some few further remarks.⁸¹

MR. AT. GEN. RICHARDS confessed he was not prepared for all the declarations of the speech for the hon. member for Kent. He was not prepared for so bold a declaration of the want of confidence of the hon. member in that house; nor was he prepared for the declaration from a friend of local self government that he desired to pass a bill that must go home and be sanctioned in Great Britain. For his part he wanted to have this affair settled by the people of Canada, and not like the hon. member for Kent to call in Jupiter, when he thought things would not go as he pleased without him. The hon. member had certainly let him (Mr. Richards) off very easily. He had only accused him of inconsistency on account of the declaration of the editor of a newspaper, and of some good supporters of his, who had passed a set of resolutions. But the hon. member had failed to quote a long paper, in which, under his own hand, he (Mr. R.) had fully explained his views upon this and all other questions. But people must be very much amused at the course of the hon. member's own newspaper, for last session he had constantly attempted to represent the head of the present government as about to join the tories, and yet he woke up some fine morning, and found that instead of joining the tories the hon. member had joined the old reformers of Upper Canada. When his bright beams of ambition were at an end; and when the party healing its differences, went to the hustings united, he found that he was not the leader of a great body of people; but a disappointed politician. All knew what a disappointed politician might do; and with this knowledge he should not feel at all surprised to find that the hon. member was now expressing opinions altogether adverse to those he had hitherto contended for. However, without going farther with ... question then, he would say that if the hon. gentleman sincerely desired to get this question settled he would vote with the ministry. He then argued in a way similar to that of Mr. Hincks on the preceding night, that the means to obtain from the British Parliament the right to legislate, was to ask for that right. This was the constitutional course to take, and that was itself a great thing; but if driven to ulterior proceedings he apprehended that he might fight on resolutions, as well as upon a bill. The

hon. member admitted there might be difference of opinion on this question, and that being so he asked whether, if his opinion were contrary to that of the majority of his friends whether he ought not to yield them? Then the hon. member thought that there were certain lands which might be at once taken up and legislated on, because they were improperly set apart. But he believed the act which determined the distribution of the Reserves, determined the distribution of all the lands. Having repeated his determination not to act in any manner which would subject the legislation of Canada to the legislation of any other Parliament, he proceeded to say that he could have understood the broad ground that the Province had the right to legislate in defiance of all authority; but he did not understand the idea of legislating in a manner that would be no legislation, until it had been sanctioned by another body. The hon. gentleman had told the House that these resolutions were intended to bully the British Government. These sentiments were responded to by hon. members opposite, some of them, no doubt, because they thought, that if this opinion of the House were declared in emphatic language, our request would be granted,--a thing which they did not at all desire. He concluded by expressing his perfect willingness to retire from public life, if he thought any other persons could settle the question better than him.⁸²

MR. CHABOT.--Je me lève, monsieur l'orateur, pour expliquer les raisons qui m'engagent à voter contre les résolutions de l'honorable membre pour Kent (M. Brown); mais je dois dire que je suis pour le règlement de cette question le plus tôt possible. En 1851, j'ai voté contre les résolutions de M. Price⁸³, and was prepared to vote against any other conceived in the same sense. He had indeed the conviction that the colony had the inherent right to legislate on local matters, and ... the reason then why he voted against Mr. Price's resolution[s] was because⁸⁴ je considérais que la démarche qu'elles suggéraient était inconstitutionnelle.⁸⁵ It asked the Imperial Government to legislate for the colony and not merely to repeal its own legislation.⁸⁶ Nous avons assez longtemps combattu pour obtenir le gouvernement responsable, non pas comme grâce, mais comme droit inhérent à tout sujet anglais, et nous devons faire tous nos efforts pour le conserver. Je suis persuadé que le gouvernement anglais pour ce qui est de nos affaires locales, n'a rien à y voir.⁸⁷ He voted for Mr. Morrison's resolutions at that period because it asked merely for the repeal of the British act 3d & 4th Vict. He gave the names of the gentlemen who had voted for that motion, and said he thought it the only course that could be taken.⁸⁸ Si elle eût été adoptée, nous ne serions pas aujourd'hui dans la difficulté dans laquelle nous sommes placés.⁸⁹ It was no doubt as the member for Kent had said⁹⁰, grand temps de mettre fin à l'agitation que causent les réserves, il est temps de voir la solution de cette question⁹¹, but he did not think this would be done by the means this gentleman suggested. If this course were taken, the bill passed in Canada must be again passed in England, and then if any change were afterwards made that must be obtained by going once more to England for authority.⁹² Le seul moyen est de demander la révocation de l'acte impérial; et ensuite la législature provinciale décidera la question comme elle l'entendra.⁹³ The hon. member for Kent said that all Upper Canada was with him. It might be so to a certain extent; but⁹⁴ je ne crois pas que la majorité de la population du Haut-Canada est d'opinion de procéder par bill⁹⁵; unless because the people were deceived as to the nature of constitutional law.⁹⁶ Il faut dire une fois pour toutes à l'Angleterre que nous ne voulons pas que le parlement impérial législate sur nos affaires locales dans lesquelles il n'entend rien dans les trois quarts des cas.⁹⁷ He here took occasion to condemn the reading of newspapers in the House and said that if that course, and still more the reading of histories of

England were persevered in, the House might sit during the winter. He replied to the statements of Mr. Boulton as to the early history of the country, by saying that that epoch when the hon. member said England proposed to establish English institutions at the expense of the French Canadians, was disgraceful to Great Britain⁹⁸.

Le membre de Toronto n'aurait pas dû parler des premiers temps de l'occupation du pays par l'Angleterre, car ce n'est pas à son honneur. A cette époque on traitait le Canada en pays conquis; mais nous ne l'avons pas été, nous avons été abandonnés, cédés par un traité. Les anglais s'établirent en petit nombre parmi nous; et ce sont cette poignée de nouveaux venus, qui par leurs rapports journaliers ont fait enlever aux canadiens-français l'usage de leurs droits qui leur étaient garanti. A cette époque on ne voulait de canadiens-français nulle part, on n'en voulait ni pour être magistrats, ni pour être jurés.

Moi pour un, je voterai contre les amendements et je voterai pour les résolutions de M. Pincks [sic]. Ces résolutions ne contiennent pas de menaces pour notre souveraine [sic], on lui donne un conseil, on l'informe des conséquences qui peuvent résulter du refus de nous laisser régler nos affaires locales.⁹⁹

MR. CAUCHON.--J'aurais aimé que les résolutions eussent été rédigées de manière à ne pas me forcer à voter contre l'une d'elles au moins. L'honorable inspecteur-général aurait dû les rédiger de manière à ne pas forcer ceux qui sont avec lui en principe à voter contre lui. Mais il est évident qu'il a cédé aux exigences des circonstances, et qu'il n'a employé le langage de la menace que pour plaire aux membres du Haut-Canada qui supportent son administration. Il sentait qu'il n'avait rien à leur donner de réel, et il a cru pouvoir leur donner le change en substituant à la substance des mots énergiques et menaçants.

On nous a dit que cette 7e résolution ne contenait pas de menaces. Mais si elle ne contient pas de menaces, qu'est-ce donc que menacer? Croit-on répondre en disant: nous ne menaçons pas, puisque nous proclamons notre loyauté envers la Grande-Bretagne, et que tout ce que nous voulons faire, c'est avertir celle-ci du danger qu'entraînerait son obstination. Par cette résolution, nous disons à l'Angleterre qu'il y aura une collision, si elle ne nous rend pas le droit de législation à l'endroit des réserves. Or, s'il ne doit pas y avoir collision, pourquoi le dire? Ne sommes-nous pas les représentants de la volonté et des opinions du Canada? Et si nous déclarons qu'il y aura collision dans le cas de refus par l'Angleterre, nous exprimons ou nous sommes censés exprimer la volonté du peuple que nous représentons.

On nous dit que ces résolutions ne contiennent pas de menaces. Mais que l'on porte ses regards vers le passé, et qu'on lise les 92 résolutions passées en 1834, et l'on verra que ces résolutions ne contenaient rien de plus fort, rien de plus menaçant que celles de l'honorable inspecteur-général. A cette époque de notre histoire politique, la représentation du Bas-Canada était presque unanime à vouloir ce que voulaient les 92 résolutions; mais plus tard, un nombre considérable de nos députés, désapprouvant les conséquences dernières de ces résolutions, voulurent s'arrêter. La majorité leur disait: Vous avez voté pour les 92, vous avez voté pour leurs conséquences. En nous abandonnant, vous manquez de consistance. Cette majorité avait raison, ou mieux elle était logique.

Je ne désire pas juger cette époque de notre histoire, ni vous dire quel parti avait raison. Je ne la rappelle que comme fait et comme leçon d'expérience, et je ne m'oppose à la dernière résolution de l'honorable inspecteur-général que parce que je ne veux pas avoir à me repentir d'avoir approuvé ce que, peut-être, dans l'intérêt du pays, je serais obligé de désapprouver plus tard. Je veux être toujours, autant que je le pourrai, conséquent avec moi-même. Comme

je ne veux pas de collision, je ne dirai pas à l'Angleterre que si elle ne veut pas nous accorder ce que nous lui demandons, je me battraï contre elle.

Si, comme vous l'affirmez, vous ne voulez pas de collision, pourquoi dire qu'elle aura lieu? Si vous ne voulez pas de collision, il y a du danger à dire que vous la voulez; et si vous la voulez, il y a la folie à le dire.¹⁰⁰ It was ridiculous to threaten Great Britain unless we were prepared to fight her, and the proper attitude to assume was that which had been taken in, and had obtained the concessions of 1841.¹⁰¹

J'ai toujours été en principe favorable au droit de législater sur nos affaires locales; j'ai toujours proclamé que ce droit était inhérent à notre caractère de sujet britannique, et je ne dis pas que si l'Angleterre se montrait oppressive, que si elle continuait le régime contre [lequel] le pays s'est plaint et contre lequel il a lutté pendant si longtemps, je me courberais toujours devant un pareil état de chose. Mais, pour vouloir la collision, il faut être en état de la faire. Et, d'ailleurs, ce n'est pas au moment où l'Angleterre se montre disposée à tout nous accorder, à tout nous céder, que nous devrions la menacer d'une collision, parce qu'elle a du scrupule à nous concéder un droit dont elle a peur que nous usions contrairement à ses sentiments religieux.

Elle ne nous a pas dit que ce droit, elle nous le refuserait toujours; seulement elle nous soumet des considérations pour nous faire réfléchir, pour nous engager à respecter ce qu'elle croit être des droits acquis.

Et puis dans quelle position nous placent ces résolutions de l'honorable inspecteur-général? La question des réserves n'a jamais été agitée dans le Bas-Canada.¹⁰²

MR. TURCOTTE.--Oui, elle l'a été, et elle était l'un de ses griefs.¹⁰³

MR. CAUCHON.--Non, elle n'a jamais été un grief dans le Bas-Canada; elle n'a jamais été agitée aux hustings, jamais dans la presse, jamais dans l'assemblée législative! Nous avons toujours dit que, nous, catholiques romains, nous ne voulions pas des réserves.¹⁰⁴ This question was almost purely an Upper Canada one.¹⁰⁵

Il y a donc une moitié du Canada qui ne s'intéresse nullement à cette question. Quant à l'opinion du Haut-Canada, nous ne pouvons la connaître que par le résultat électoral et les votes qui sont donnés dans cette chambre. Mais les députés qui supportent le ministère se prétendent appuyés par l'immense majorité de la population haut-canadienne, tandis que leurs adversaires, de leur côté, réclament pour eux-mêmes cette même majorité. Or, la représentation haut-canadienne est à peu près divisée en deux parties égales. Donc au moins les trois quarts du pays ne s'intéressent pas à la solution de cette question ou ne veulent pas la sécularisation. Et les trois quarts du pays iraient dire à l'Angleterre: si vous n'accédez pas à la demande [du] quatrième quart contre notre propre volonté, et peut-être contre nos intérêts, nous entrerons en collision avec vous. Si nous mettions cette menace à exécution, dans quelle position absurde nous placerions-nous; et si nous ne l'exécutons [sic] pas dans quelle position ridicule nous placerait cette menace irrationnelle?¹⁰⁶ When the 92 resolutions were passed, the great majority of the people were in favour of them. It was, therefore logical, to warn England of the consequence of refusal; and it was because he wished to be logical now that he would not utter a similar warning or a similar threat; for they were alike, except that the present one was not so politic as the other. For his own part he thought it right to warn his fellow countrymen as to the course they were about to take, for though their own institutions stood on a different basis from those of U. Canada, they could not fail to be exposed to danger when those interested in their conservation were reduced to the

Catholics of Lower Canada, and all the rest of the Province would have no concern in them.¹⁰⁷

Pour prouver ce que j'ai avancé tout à l'heure, je vais prendre la liberté de lire celles des 92 résolutions dont la rédaction est la plus énergique, et l'on verra qu'elles ne contiennent rien de plus menaçant que celle qui nous a été soumise par l'honorable inspecteur-général.

La 31e résolution (des 92), après avoir fait allusion au système d'oppressions [sic] qui régnait avant 1834, déclare que le résultat futur de ce système serait d'affaiblir les sentiments de confiance et d'attachement que nous avons eus pour le gouvernement de Sa Majesté, et finirait par enraciner les mécontentements et le dégoût insurmontable qu'ont inspirés de déplorables administrations et qu'inspire encore actuellement la majorité des fonctionnaires coloniaux, combinés en faction et portés par l'intérêt seul à lutter pour le soutien d'un gouvernement corrompu, ennemi des droits et contraire aux vœux du peuple.

La chambre du Bas-Canada termine sa 48e résolution en disant que la continuation du système dont parlait la 31e résolution, enlèverait au peuple l'espoir légitime de bonheur qu'il tire de son titre de sujet britannique, et le mettrait dans la dure alternative de se soumettre à un servage ignominieux ou de voir en danger les liens qui l'unissent à la mère-patrie.

La 49e résolution a une similitude frappante avec la 7e de l'honorable inspecteur-général, car elle dit que--cette chambre et le peuple qu'elle représente ne veulent ni ne prétendent menacer; mais qu'appuyés sur les principes des lois et de la justice, ils sont et doivent être politiquement assez forts pour n'être pas exposés aux insultes d'aucun homme quelque ils ni soient tenus de les souffrir en silence.

La 50e résolution est trop longue pour que je la cite en entier; c'est la plus menaçante; mais elle dit à l'Angleterre, tout en lui exprimant la loyauté du peuple et de la chambre ainsi que leur désir de rester toujours attachés au gouvernement britannique, de ne pas oublier, si elle voulait continuer son système d'oppression, que dans dix ou vingt ans la population des Etats-Unis serait ou aussi forte ou plus forte que celle de la Grande-Bretagne, et la population du Canada aussi considérable que celle des Etats-Unis au moment où ils proclamèrent leur indépendance.

De son côté, la 7e résolution de l'inspecteur-général exprime, de même que les 92 résolutions, la loyauté extrême du Canada envers le gouvernement britannique, mais elle avertit en même temps ce gouvernement que s'il ne se rend pas à nos désirs, elle peut s'attendre à une collision. La différence qui existe entre les deux positions, c'est que, dans la première, le peuple étant peu nombreux, on menace de l'intervention étrangère, tandis que, dans la seconde, on se croit assez fort pour faire la collision à ses seuls frais.

Comme je viens de le prouver, les 92 résolutions n'ont rien de plus menaçant que cette résolution contre laquelle je me sens obligé de voter; et pourtant la chambre du Bas-Canada avait bien autrement raison de se plaindre que nous. Elle protestait contre un système qui a fait dire à lord Durham et à lord Sydenham qu'il était si oppressif que nul homme, ayant le sentiment de sa dignité d'homme et de sujet britannique, ne devait le supporter en silence et sans prendre les armes pour s'en délivrer! Mais sommes-nous, comme je l'ai dit plus haut; sommes-nous dans une pareille position? Ne sommes-nous pas aussi libres et plus libres que le plus libre des peuples? L'Angleterre ne vient-elle pas pour ainsi dire au-devant de tous nos désirs et de tous nos besoins? et serions-nous justifiés de la menacer, lors même que nous ne savons pas si elle ne se rendra à notre volonté dans cette circonstance?¹⁰⁸ Everything might be properly obtained by patience and moderation.¹⁰⁹

Je sais bien, encore une fois, que le gouvernement ne veut pas de collision avec la Grande-Bretagne; mais en adoptant cette résolution, nous nous mettons dans la position compromettante de nous faire dire dans 10 ou 20 ans: Vous avez déclaré à l'Angleterre que si elle ne vous rendait pas le droit de législater sur les réserves, vous lui feriez la guerre. Soyez donc conséquent avec vous-mêmes. Non, si vous n'avez pas dessein de faire de collision, ne dites pas que voulez la faire; et même si vous avez dessein de la faire, ne le dites pas encore.

Je n'ai pas dit ni ici ni ailleurs comment j'entendais régler la question des réserves; et lorsque l'hon. M. LaFontaine prononça, sur cette même question, dans un discours qui lui attira l'administration de la chambre et du pays, je me levai pour déclarer que, quant à moi, je ne voulais rien demander de plus par mon vote que le droit de législation et que je regrettais que l'honorable procureur-général se fût prononcé sur une question lorsque rien ne l'y obligeait et qu'elle n'était pas soumise à la discussion de la chambre. Je n'ai pas d'objection à dire ici, ainsi que je l'ai dit ailleurs, comment j'envisage la question des réserves. J'ai dit que si les cours de justice déclaraient les rectories légalement constituées, elles auraient pour moi le caractère sacré de propriété; mais que je ne considérerais pas les réserves du clergé comme une propriété, puisque toute propriété est personnelle, soit réellement ou par la fiction de la loi. Les réserves ne sont qu'une simple destination. Il ne reste plus maintenant qu'à décider si nous devons ou non respecter cette destination, ou si nous devons la détourner pour satisfaire aux exigences d'un plus ou moins grand nombre d'hommes.

La question de propriété étant mise de côté, il ne resterait plus qu'à régler les réserves au point de vue de l'intérêt du Bas-Canada. Je commencerais d'abord, par ne pas mettre la main sur la propriété, par ne pas faire d'injustice au Haut-Canada, et puis, la question dépouillée de ces deux considérations, je chercherais à cette question des réserves, une solution qui fût d'accord avec les intérêts du Bas-Canada que je représente plus particulièrement dans cette chambre.

Je regrette donc que l'honorable secrétaire-provincial ait déclaré, hier pour la première fois, que lui, comme gouvernement, serait favorable à la sécularisation des réserves. Lorsqu'il parla sur l'adresse il s'abstint de se déclarer pour la sécularisation. Il est évident qu'il a été poussé jusque-là hier que par la position difficile que fait à l'administration, et l'opposition de l'honorable député de Kent et les exigences des députés haut-canadiens qui supportent le gouvernement.¹¹⁰ [If] he [had] no other reason for voting against the resolutions, this would induce him to do so.¹¹¹

Je regrette, encore une fois, que l'honorable secrétaire-provincial dont je connais l'intégrité et le patriotisme, se soit mis par cette déclaration dans l'impossibilité peut-être de ne pouvoir, plus tard, voter comme l'exigera l'intérêt du Bas-Canada, et dans la nécessité d'abandonner le gouvernement.¹¹²

MR. PROV. SEC. MORIN. Je vous céderai ma place alors.¹¹³

MR. CAUCHON. Non, je ne désire pas que l'honorable secrétaire-provincial abandonne la place qu'il occupe aujourd'hui; je veux toujours l'y voir.¹¹⁴ Il [M. Cauchon] le croyait parfaitement honnête¹¹⁵. Je l'ai dit ailleurs comme je le dis ici, je veux toujours l'y voir, quelque chose qui arrive. Voilà pourquoi je déplore sa déclaration d'hier. Ce qui peut consoler, cependant, c'est qu'à l'exception de l'hon. député des Deux-Montagnes, tous les députés du Bas-Canada qui ont pris la parole après l'hon. secrétaire-provineial [sic], ont dit formellement qu'en votant pour les résolutions de l'inspecteur-général, ils n'entendaient pas s'engager à la sécularisation des réserves.¹¹⁶ He did not believe in the logic of the hon. member for Kent, that the Government, at this

stage of the proceedings were bound to avow their sentiments respecting the final disposition of the Reserves at that period. He did not believe that the Inspector General would have made use of such language as that contained in the resolutions, if it were not that the ministry found it necessary to tickle the ears of the Clear Grits of Upper Canada.¹¹⁷ Il n'approuvait pas la logique de l'hon. membre pour Kent, non plus que tous ces discours inflammatoires qui nous reportent aux époques malheureuses dont nous gardons un si triste souvenir.¹¹⁸

MR. CHABOT.—N'ayez pas peur. (Rires).¹¹⁹

MR. CAUCHON dit qu'il n'avait pas peur pour lui-même qu'il ne pensait qu'aux conséquences qui pourraient en résulter pour le pays. Il répétait que le Bas-Canada n'ayant rien à faire à la question, c'était le mettre dans une position humiliante, que de s'en servir pour essayer à effrayer l'Angleterre. Cette question n'aurait jamais été agitée si nous eussions été seuls.¹²⁰

Je sais bien que nos institutions religieuses reposent sur une basse [*sic*] essentiellement différente de celle sur laquelle les réserves sont appuyées; mais si vous faites disparaître les institutions de Haut-Canada, quelques que soient leurs bases; si vous ne laissez plus rien que cette partie du pays ait intérêt à conserver, ne craignez-vous pas que les deux sections de la population qui luttent ... aujourd'hui l'une contre l'autre, parce que l'une veut conserver ce qu'elle possède, et que l'autre veut le lui arracher, n'ayant plus entre elles de cause de lutter, ne s'unissent, l'une obéissant à son principe, et l'autre à une vengeance qui se trouve dans l'humanité, ne s'unissent, dis-je, pour démolir nos propres institutions?¹²¹

UN DEPUTE. Ils n'en n'auront pas le droit.¹²²

MR. CAUCHON. Ils n'en auront pas le droit, non; mais ils en auront le pouvoir. Or le pouvoir, c'est le droit quand il est assez fort pour se substituer au droit et de se constituer comme tel.¹²³ He asserted that the Lower Canadians would soon respect the rights of property, but he did not see that these rights were affected by the Clergy Reserve question.¹²⁴ Voilà, ce me semble, des considérations qui doivent nous engager à réfléchir avant de prendre une détermination à cet égard, et qui auraient dû engager l'honorable secrétaire-provincial à ne pas se prononcer en faveur de la sécularisation.¹²⁵ He remarked at some length upon the position of Mr. Chauveau upon this subject; and then read from the Government resolutions. He believed that we could ask England in a firm and respectful manner to give us the power to legislate, without threatening to come into collision if that were refused. He could not support a principle which he might have to deplore hereafter; and there was nothing in this question which should induce Lower Canada to place herself in the position of making menaces to England. Canada first asked England to legislate, and now we are asked to threaten revolution in demanding the undoing of our own work. The Clear Grit press of Upper Canada told them that as soon as they got the Reserves and Rectory questions settled, the destroying of sectarian schools and ecclesiastical corporations must follow; and in this way the matter affected the dearest interests of Lower Canada.¹²⁶

Je sais parfaitement bien que, quelques raisons que je puisse donner contre cette septième résolution, je ne ferai pas changer les votes déjà prédéterminés. Je sais parfaitement bien que ma protestation, quelque énergique qu'elle puisse être contre ce danger, ne fera pas changer les déterminations préexistantes; mais ce n'est pas précisément pour cela non plus que j'ai pris la parole. Je ne l'ai prise que pour me sauvegarder contre les dangers de l'avenir; je l'ai prise pour placer mon protêt devant le pays, contre une chose que je désapprouve et dont je prévois les conséquences. Il y a un autre tribunal que celui-ci;

c'est celui de l'opinion extérieure. C'est à cette opinion, au pays, que je sou mets ces considérations; c'est d'elle, c'est de lui que j'attends justice et appui.¹²⁷ In conclusion, he prayed the house to pause before voting a menace against England, as that could do no good and might be highly dangerous; even if the majority of his fellow-countrymen could bring themselves to vote for so dangerous a principle, he could not do so, and he felt it to be his duty to resist it.¹²⁸

MR. PRES. EX. COUN. CAMERON said--It was now about seventeen years since he first had the honor to address a Canadian Legislature on the subject of the Clergy Reserves, and then he had the honor to contend with the Attorney General Hagerman, J. S. Cartwright, and others, who argued this great subject upon principle, who really believed that the duty of a government was to determine the great question, "what is truth?" and having determined it, of course it became its duty to sustain it by every means in its power. These men, like all who believe in Church and State connexion (and he must admit that there were many such of the best, most enlightened, and noblest men in the world,) fought their battles manfully, and it was an honor to contend with them, and mournful to witness the contrast now, the miserable party squabble, the impotent attacks on the administration, the combination of ultra-voluntaryism and ultra-toryism, the crossing the floor, and whispering, and furnishing of paper shot by gentlemen of the most opposite views. He would not then have heard one gentleman asserting that the ministry were not agreed, that they had not the authority of the head of the government to act, and were, in fact, at issue with him, in spite of all they might say to the contrary; and asserting that the ministry had gone too far, and had, on this point, taken grounds that might lead to collision with Great Britain, while he was hob-nobbing with another who had just spoken, and had said that the ministers were traitors, had betrayed their trust, and had no opinion on the subject of the Clergy Reserves. If we would understand public opinion on this question, we must refer to the early history of Canada. The feeling of native Canadians on the question was, he knew, strong; he denied that there had ever been a time since 1791, when the Act was passed, when the people were really satisfied on this subject. The settlers of Canada, then, as now, were emigrants from the Mother Country, who well understood the evils incident to Church Establishments, who had seen the working of them at home, and believed, as he (Mr. C.) did, and ever had done, that no man, number of men, or government, ever had, or would have a right either to bind a man's conscience, or to take part of the public domain or property of all and give it for the support of any one denomination, without violating the rights of man. And they had steadfastly resisted the appropriation, and demanded the disposal of these lands, and application of the lands to some general purpose; and he would remind honorable gentlemen of the time when the Church of England claimed, not only all these lands, but the exclusive right to many, and to hold land, and many other privileges.--He (Mr. Cameron) stated that the member for Kent had made a special attack upon him as a deserter from his principles, as having violated his pledges and remaining dumb during his election, and now talking evasively in this House,--while, on the other hand, by his present chum and coadjutor, the member for Toronto, he (Mr. C.) was charged with being violent and fanatical, agitating the Province unnecessarily and obtaining his election by not being dumb--oh! no--but by having promised to settle this question by Bill and at once. What meant this union of discordant falsehoods? what meant this sudden association of ultra Tory and professed Protestant Reformer? It was beautiful to see the member for Kent and the member for Toronto almost embracing, running across the House, counselling and

consulting. It must be cheering to the electors of Kent to know who was the ally and confidential friend of their representative. If the Globe could have alarmed the Province by the bare intimation of the Ins. Genl. during last Parliament, that a coalition between him and the opposite side might become necessary--aye! be forced upon him at some future time--how should its thunders now awaken Kent when the union was consummated, actual and active, between their representative and the members for Toronto and Montreal. For his part, he feared no slanderer's tongue upon his course; he had unceasingly, since 1834, taken one straight, unwavering course on this question and all matters connected with it. He was a voluntary. He had a deep, firm, conviction that [the] Church and State connexion was an unholy alliance, and that the continuation of the existing law on the Reserves was inconsistent with the peace of the country.¹²⁹ He had never ceased to hold those views, although he, of all had been most attacked for inconsistency, and charged with being a traitor to his party. The men who made those charges knew them to be false. They knew that his position on this question had always been the same¹³⁰. He had fought the battle often, at a great sacrifice of feeling. He had been estranged, alienated by it from many with whom otherwise he could have acted, natives of Canada with whom he held everything else in common, but who, on this question, held views so strong as often to lead them to sacrifice great national advantages to it; and that accounted for the prejudices against her pretensions which people never felt against her liturgy or her doctrine.¹³¹ He had been ... compelled on many occasions to act with those in whom he had less confidence, and between whom and himself there is little cordiality of feeling. His great object is to obtain a satisfactory settlement of this question, because he felt, and he would declare it without hesitation in his place in that House, and on his responsibility as a representative of the people and a minister of the Crown, that the further agitation of this question will endanger our connection with the mother country.¹³²

"Hear, hear" from the opposition.¹³³

MR. PRES. EX. COUN. CAMERON [continued:] Aye! gentlemen might cry "hear, hear," but he would tell them that he never was afraid to give utterance to his real sentiments, and never ashamed to discharge a duty he owes his Sovereign, by warning her that opposition from the Government to the wishes of the people of this country in a question of vital importance, may deprive the Crown of its brightest jewel. He never shrunk from his post when there was an act of rebellion, or a Tory cry for "Annexation" in the land. He never was found, like some others he could name, in bad company. He never hesitated to do his duty to his country and his Queen.¹³⁴

MR. H. SMITH.--Well done, my bould soger [sic] boy! (Laughter.)¹³⁵

MR. PRES. EX. COUN. CAMERON was a soldier's boy, and was not ashamed to avow it. He inherited the feelings of loyalty which were transmitted to him by a man who had fought for his country; and those sentiments he will hold to the day of his death. He felt justified, therefore: aye, he felt bound to warn hon. members that any collision on this subject may endanger the connection between this Province and Britain.¹³⁶ The member for Montmorenci made a very long and vehement speech, the amount or burthen of which was, that Lower Canada did not care anything about this matter and had no interest in it; and attacked the hon. member for Norfolk and himself, especially, on the subject of their principles, and repeated his old newspaper attack on Socialism, and intimated that their principles would lead them to attack the existing institutions of

Lower Canada¹³⁷, and when put to the proof, said he did not mean to allege that they were Socialists in fact, but that they held opinions which may lead to Socialism.¹³⁸ He (Mr. Cameron) would once [and] for all repudiate the idea of the term "Socialist"¹³⁹ in every shape¹⁴⁰ being applied to him, and he held it to be a poor compliment to the member for Montmorenci, if really he was sincere in supporting that, because he (Mr. Cameron) held strong views on the subject of ecclesiastical endowments, he (Mr. C.) was therefore a Socialist. The member for Montmorency ought to know that those who were the most conscientiously sincere on this subject¹⁴¹, those who battle most strongly for perfect equality of rights are just the men who can never be Socialists.¹⁴² He (Mr. Cameron) held his principles on this subject under higher authority than political partizanship.--His views and his principles were based on divine truth, and he would never seek to destroy the rights of others; but, on the contrary, he would do to others as he would wish them to do to him. But, if Socialism meant an opposition to exclusive rights and privileges, to protection of trades, legislation for classes, whether clerical, legal or medical, or the building up in any way a section of the people from the means of the whole, he (Mr. Cameron) had no objection to the term. If, on the contrary, as he believed, the term was applied to agrarian and immoral principles, to the destruction of the rights of property and the conjugal relation, then he repudiated with scorn the¹⁴³ allegation in every form,--threw it back upon the gentleman who made it, and defied him to prove by any act, or¹⁴⁴ any line ever written, any word ever spoken, either in the heat of debate or in private¹⁴⁵, that it could be substantiated against him.¹⁴⁶ The twaddle and bunkum attempted to be made on it, had his entire contempt.¹⁴⁷ An attempt is made, on the opposite side of the House, to show, that if the Reserves are devoted to the purposes of general education, the property held under deed for sixty or a hundred years, by the Roman Catholic Church of Lower Canada will be endangered, that the question of right to that property will be disputed, if a new disposition is made of certain wild lands in Upper Canada; that no distinction will be made by the advocates of the present movement; and that these will be prepared to act with respect to the property of the Roman Catholic Church exactly as they propose to do with the Reserves; but this mode of treating the question was brought forward merely because those gentlemen have not a shred of sound or constitutional argument left for their own defence. If they had, the House would have heard it; the member for Toronto (Mr. Boulton) and the member for Kent would not have been seen crossing and re-crossing the floor of the House, to each other's seats, comparing notes, and preparing together a small volley of squibs to fire into the Government; the member for Toronto would not have been reduced to the necessity of bringing in a set of resolutions, setting forth propositions without any foundation, for the purpose of blinking the question, and putting on the journals of the House a statement that the Governor General is acting in one way and his advisers in another. Why, it is perfectly clear that the Ministry could not come down to the House with these resolutions, if they had not obtained the consent of His Excellency. The whole system of tactics adopted by that hon. gentleman is absurd; and he merely alluded to it, to show that it became necessary to resort to such expedients, in the absence of argument.¹⁴⁸ The question in itself was very simple. At the passing of the 31st Geo. III, it was thought good policy to reserve (mark the word) two-sevenths of the public lands, one-seventh for the future use of a Protestant clergy, and the other one-seventh to be called "Crown Lands,"--to be kept, to be enhanced in value, and then sold for the benefit of Canada. He (Mr. Cameron) would ask the House what difference there was in the nature of these Reserves, both a matter of speculation on the part of a wise minister for the future benefit of Canada--the one-seventh

called Crown Reserves was kept from 1791 to 1828, when they were sold to the Canada Company; and had the same authority desired, they undoubtedly had the same right to dispose of both. At all events, his point was this: both were reserved by Act of Parliament for a future purpose. Neither were ever appropriated, or given, or granted, as we are here told by the hon. member for Toronto, that they were. It is really a great piece of effrontery for a lawyer to get up here and argue with verbose pomposity about the sanctity of vested rights under patent, and to ask if a grant from the King of England was not as good as one from the King of France!! Of course, all will answer "certainly," but if he puts his case on this question, he is non-suited, for he can produce no patent, no grant, no title, not even possession! In fact, this argument ought to settle the question: the meaning of the simple word "Reserves," ought to settle the whole affair. If this land be a "reserve," it cannot be a grant, it never was given away or patented. He (Mr. Cameron) was no lawyer, but he defied all the lawyers in Canada to contravene his statements.¹⁴⁹

A voice cried out "what of the Rectories?"¹⁵⁰

MR. PRES. EX. COUN. CAMERON [continued:] Oh! said Mr. Cameron, that is a separate question and was a complete contradiction to this argument; he would speak of them, but thanked the hon. gentleman for the admission that the only grant or patent pretended was for the Rectories, and that his statement, the land was a mere reserve never appropriated, stands acknowledged as fact.

But notwithstanding all he had done, suffered and was ready to do, he was maligned and pursued with bitter falsehoods, such as he had stated. The member for Kent had, with the most unblushing effrontery and with that Mawworm air of solemnity that he feigns¹⁵¹, in endeavouring to screen himself from a false position, into which he is getting before the country¹⁵², read to-night from a string of paper editorial articles written during the election contest, and pretended to think that members of this House were bound by what every editor in their favor had uttered.¹⁵³ The attempt was extremely unjustifiable; but he would not take too much exception to it, as the public would be able to estimate its value¹⁵⁴. A doctrine so absurd need hardly be contradicted. As no two editors agree in their own views on the question, it would indeed be hard to hold members to follow all of them, but he was willing that mere matter of opinion, given with a view to prejudice the country, should go for what it was worth. What he meant to attack and condemn was, his reading from certain papers, what he gave as facts, the opposition of the Reform press¹⁵⁵ of Upper Canada¹⁵⁶ to¹⁵⁷ the resolutions of the Inspector General. Among other papers from which he had read for that purpose was the Paris Star¹⁵⁸. The hon. gentleman ... said it had condemned them. Now the Paris Star, Sept. 8th, reads thus:

"We are very happy to be agreeably disappointed in the stand which the Ministry have determined to make upon the Reserves question. From the remarks from various quarters previous to our last issue we were led to form some serious misgivings on this one question;--not that it is by any means the most important question for the consideration of the country, but, because it is one which, above all others, has kept the country in a continual turmoil, and will ever do so until it has been disposed of. When we saw, in the report of Mr. Christie's speech, that the ministry were determined to stand or fall on the Clergy Reserve question, we were led to say we will do all we can to keep them up. Mr. Hincks, in his explanations boldly declares that he is prepared to take those steps which are necessary in order to press the settlement of this question on her Majesty's Ministers and the Imperial Parliament."

And relating to the hon. gentleman reads thus:

"No man could more slavishly have sold himself to do the biddings of his

masters, than did the editor of the Globe, and now he turns round and rakes up all the private matters that came under his cognizance when he was a friend, and thus proves that there is no enemy half so bitter as an alienated friend. One thing connected with this speech is worthy of remark. All the Conservative papers are in ecstasies about it. Even our worthy friend the Streetsville Review says: "George is a clever fellow, and can lucidly demonstrate the difference between a raisin and a black beetle." We have no sympathy with the philosophy that contents itself with telling people that they have done wrong; we would much rather help them with all our might to do what is right, and we believe that if the hon. member for Kent would act in this way, his talents would be turned to much greater advantage."¹⁵⁹

He read this article, for the purpose of showing the degree of credence due to a gentleman who quotes a paper published before the editor saw the resolutions, with the view to induce the House to believe that that paper is hostile to the Administration, and keeps out of sight the number of the same paper in which the editor, after having seen the resolutions, expresses his approbation:--who goes to a reporter, and asks him to contradict a report made of language uttered by the Commissioner of Crown Lands, and after the reporter refused to contradict it, denied, through the columns of his own paper, the authenticity of the report.¹⁶⁰ Now, was it not infamous that such attempts should be made to mislead by direct falsehoods this House?¹⁶¹

MR. BROWN rose to explain and said it was in [a] former number.¹⁶²

MR. PRES. EX. COUN. CAMERON. The previous number was on the 1st Sept., before the resolutions went up; that was but another evidence of falsehood. But to select where every statement was false, was useless. The article from the Examiner was equally so, it was not against the resolutions, nor was the Dundas Warder which said: (Here the hon. gentleman read from the Dundas Warder.)

Well ... most of the papers he quoted were in favor the resolutions, with twenty-four others, except the Globe, the Free Press and the Sarnia Shield (owned and printed by a foreman from the Globe Office), well known to the bitter opponents of the Government. The member for Kent said there were but two or three inconsiderable papers that did not condemn. He had seen on the desk twenty-four which sustained the Government directly and distinctly in their course, of which are: the North American, Leader, Examiner, Hamilton Journal, Canadian, Brantford Herald, Kingston Herald, Argus and Whig, Bathurst Courier, Huron Signal, &c., &c. The hon. gentleman said in his reports of the Globe that the member for Norfolk spoke evasively, and that the hon. Secretary gave no opinion, and in fact was not prepared to secularize the Reserves. He excuses himself and says he may be mistaken, he does not speak French. Now let the country know that the member for Montmorency rose in his place and informed the House that he had interpreted for the hon. gentleman, and told him that the Secretary, Mr. Morin, had distinctly said that he was in favor of the secularization of the Reserves.¹⁶³

MR. BROWN rose and said: "Oh! that was only last night."¹⁶⁴

MR. PRES. EX. COUN. CAMERON [continued:] Very well ..., admitting that, then, how came you to repeat the falsehood again in your place this night, as you have done to the country. And, did you not, when you saw the reporter's statement of Dr. Rolph's speech in an Upper Canada paper, in which there were but these words, "the Administration will stand or fall by the settlement of this question;" did you not, feeling the position he was in, the damning effect it must have on your private as well as public character; did you not go to the

reporter and endeavour to persuade him that he was wrong, and try to get some letter or admission that might shake public confidence in the statement, and when he reported, confirmed his statement, and to your knowledge, called upon Dr. Rolph, who confirmed and repeated it, you still write [sic] to the public, through the Globe, that it is untrue!! did you not?¹⁶⁵

MR. BROWN¹⁶⁶ rose to explain. The number of the Star from which the head of the Board of Statistics and Agriculture had read, is of more recent date than the one he (Mr. B.) had extracted from. From what the hon. gentleman had read, it seems the editor has changed his opinion since the week before--and doubtless the President of the Council and some of his friends could explain the cause. (Laughter.) He would also explain the other circumstance to which the hon. gentleman had alluded. It was quite true that, after the appearance of the report referred to, he had gone to the Reporter and asked him to correct it, because he was convinced there was an error in it. The Reporter insisted that it was correct; but, at his (Mr. Brown's) request, consented to go to the Commissioner of Crown Lands, and enquire whether he had used the language attributed to him; the Commissioner of Crown Lands replied that he did so, and on being so apprised by the Reporter, he (Mr. Brown) told him at once that of course that was quite enough and the report must be held as correct.¹⁶⁷

MR. PRES. EX. COUN. CAMERON.--But what did the correspondent of the Globe say?¹⁶⁸

MR. BROWN.--The correspondent of the Globe said that the Commissioner of Crown Lands affirmed that he had said so; but the Globe had suspicions on the subject, and the speeches of Mr. Morin and Mr. Hincks had confirmed them.¹⁶⁹

MR. PRES. EX. COUN. CAMERON.--You were quite aware of the effect that statement would have on the country.¹⁷⁰

MR. BROWN.--To be sure, and for that reason desired that any error might be corrected.¹⁷¹

MR. PRES. EX. COUN. CAMERON said that he would then take one of his minor falsehoods more and leave the hon. gentleman to cogitation. The Globe of the 10th has this paragraph: (Mr. Cameron read from the Globe of the 10th.) To-night he says that Dr. Rolph, to deceive the people and gain his election, promised distinctly to legislate a Bill, and that at once.¹⁷²

MR. BROWN jumped up and said: "OH! I never knew that till last night."¹⁷³

MR. PRES. EX. COUN. CAMERON--Aye! the honble. gentleman never sees newspapers, and did not read what Dr. Rolph said in election speeches; how came he to find it last night, and when he found it, did he contradict all the statements he had made to the contrary? But he (Mr. Cameron) should "nail the rap to the counter" once more.--How could he (Mr. Brown) say he (Mr. Cameron) was dumb at his election when they discussed a Bill and the reasons against it at Sarnia, where he (Mr. C.) declared Ministers were agreed on the subject, and put his words in writing in hopes of convincing him, every word of which he (Mr. B.) denies and says he (Mr. C.) "was dumb!" Once more only and he had done. The correspondent of the Globe on the debate says: (Mr. Cameron read an extract from the correspondence which asserted that Dr. Rolph spoke first.)

Now, even in so small a matter of fact as this, there was not one word of truth. Every gentleman there (and who better than the member for Kent) knew that the member for Huron spoke first, and for the mere sake of an additional fling, he (Mr. B.) deliberately mistook the word and fact. It would be endless to point out the system of falsehood which this desperate man took to defend

himself from his insane and Arnold-like course¹⁷⁴. It was quite in accordance with the gentleman's repeated declaration that the Ministry were dumb, and could not be induced to say a word in explanation of their position, that he should want it to be believed that the Reporter had misunderstood the Commissioner of Crown Lands. He attempted to make it appear that the Government were pledged to bring in a bill, and that they had evaded their pledge by bringing in those resolutions, which did not satisfy him by any means, although they were much too strong for gentlemen, on the opposite side of the House; and again he changed his tactics, declared that the Ministry had no opinion on this subject, and could not be convinced to the contrary, although he heard four members of the Government state that the resolutions were introduced as a cabinet measure. The hon. gentleman had attacked him more particularly as being pledged to bring in a bill--he thought he had already stated the position of the Government with reference to that mode of procedure¹⁷⁵. He would now bring his remarks to a close by alluding again to the remarks of the member for Montmorency, and the position of the Government with the reasons why, under present circumstances, these resolutions are preferable to a Bill. When the matter was brought up in 1849, he (Mr. C.) considered¹⁷⁶ that a Bill was more likely to succeed in bringing the matter to a¹⁷⁷ speedy close under the then liberal administration than an address, and proposed one and resisted the address.¹⁷⁸ [Such a bill] would have been assented to at once while the Liberal party was in power.¹⁷⁹ He was of opinion a bill might have been legalized at home and made law, as soon as a new bill could originate at home and we get power.¹⁸⁰ Whether right or wrong in that opinion, it is now impossible to determine; but it was vigorously opposed by the hon. member for Kent¹⁸¹, as editor of the Globe and at a great public meeting in Toronto. And the address prevailed, and the Home Government favourably responded, and are fully pledged to give us the power to legislate.¹⁸² In 1850, Mr. H. J. Boulton introduced another bill, and that immediately became the object of his admiration. He thought, henceforth that no other course should be adopted than by bill, such a bill as Mr. Boulton introduced containing a suspending clause.¹⁸³ Now a tory party are in power, the hon. member is in favour of a Bill to be discussed by them and submitted with its details and attenuating clause to the Bench of Bishops, and has clearly said that if these resolutions carry, he does not care how soon the opposite party are in power. So that, of course, if the power comes, they instead of us might exercise it.¹⁸⁴

MR. BROWN again got up to explain: he had said that Mr. Cameron's bill had no suspending clause in it.¹⁸⁵

MR. PRES. EX. COUN. CAMERON.--How did Mr. Brown know, had he ever seen the bill?¹⁸⁶ But how could the hon. gentleman divine that his (Mr. C.'s) bill would not also contain a suspending clause? He would be very much astonished if any person could show him a copy of it; for the fact is, that although he had intended to draft a bill¹⁸⁷, he (Mr. Cameron) could assure the House that there never was any such bill; this was another of these ready subterfuges the hon. gentleman assumed.¹⁸⁸ But, even admitting that he had introduced the bill without a suspending clause, he would like to know why it should meet with such strenuous opposition if that were all that is necessary to render it acceptable? What length of time would have been occupied by the friends of the hon. gentleman¹⁸⁹, the ministry of the day¹⁹⁰, in framing such a clause? The fact is, that the gentleman was of opinion that it was impossible to proceed by bill at all, and he retained that opinion long after Mr. Boulton introduced his bill. But if the hon. member for Kent was in favour of Mr. Boulton's bill, why did not the organ of the Government advise the Ministry to accept and support it.¹⁹¹

MR. BROWN.--So it did.¹⁹²

MR. PRES. EX. COUN. CAMERON.--The Globe said that men like the member for Haldimand, who were desirous of annexation, would support the bill, but no one else would do so.¹⁹³

MR. BROWN.--The member for Huron is wrong. The Globe supported Mr. Boulton's bill--but immediately after it came before the House the feeling of the majority on ecclesiastical questions came out clearly, and the Globe then said that, under the circumstances, it was well Mr. Boulton's bill had not been proceeded with, for the Reserves would certainly have been divided among the sects.¹⁹⁴

MR. PRES. EX. COUN. CAMERON read several extracts for the purpose of maintaining his opinion, and he asked how the member for Kent could now assert that he was in favour of Mr. Boulton's bill, when in Oct. 1851 he thus denounced that bill as an attempt to embroil this Province with the Home Government.¹⁹⁵

The following charge was made by the North American against the Ministry--"The neglect to touch the great question of the Clergy Reserves and Rectories." And the Globe answers thus:--"They did "touch" them--though not in the way our annexation contemporary desired. It was a very pretty effort to embroil us with the Home Government, that ruse of the Republicans proposing to settle the Reserves by a Bill, without regard to the Imperial statute now in force. That was a way of "touching" the question which the American and those who think with him would no doubt have preferred--but we rather think the constitutional liberals of Upper Canada will hardly see "treason" on the part of Ministers in not favoring their views." "As to the Rectories, nothing has yet been done, it is true--but Rome was not built in a day; too much has been done--that's the fault." "And this the whole alleged ground for complaint against the present Ministry from one of its bitterest assailants! We ask any thinking man, be he constitutional, liberal, or rampant radical, if there is the shadow of an excuse in this for the splitting up of a party?--if there is the slightest apology for pronouncing the leaders of a party traitors on such trashy whimperings? As to the alleged remarks of Mr. Baldwin, we have not referred to the debates to see their precise meaning--but admitting that that gentleman did use language on one or two points to which few Upper Canada liberals could assent, are we therefore to forget all his services to the country and abuse him as a traitor? We hope not."

And yet he (Mr. Brown) said since he became an opponent of the reform party, that Mr. Hincks should have gone for this bill. He was wearied and wearying the House on these endless inconsistencies, and would just allude to an assertion made by the member for Kent, in addition to the fact that Mr. Price's resolutions bind us, that the action of the Home Government burden us. He (Mr. Brown) says a bill presents one simple point in proposing an address, then taking the initiative and acting. He (Mr. Cameron) asserted that fact and argument were quite the reverse. A bill involves legislation at home in details, involves difficult party questions, and would invoke the opposition of a whole government just elected on High Church principles; the address [involves] only one question, the abstract right of the people of Canada to legislate on a local matter, and he (Mr. Cameron) was quite willing to submit the simple statement of the case to the people of Canada.¹⁹⁶

MR. BROWN.--The hon. gentleman is all wrong. The extract he has read was written in October 1850, many months before Mr. Boulton's bill was heard of--not in Oct. 1851, as the gentleman endeavours to palm upon us. All those quotations had reference to the gentleman's (Mr. Cameron's) own bill. (Hear, hear, and laughter.)¹⁹⁷

MR. PRES. EX. COUN. CAMERON.--He wished the House distinctly to understand that the member for Kent said now, on the floor of this House, that if those resolutions were passed and sent home, he did not care how soon the Tories went into office.¹⁹⁸

MR. BROWN said, that the head of the Board of Statistics had stated him incorrectly. What he said was, "If the Government did not test the sense of the House on the question of secularizing the Reserves before sending home these resolutions, then he would not wish them to be sent."¹⁹⁹

MR. PRES. EX. COUN. CAMERON.--The member for Kent made no such long speech. The exact words he used were, "if the House adopted the resolutions, he did not care who went into office." He would tell that hon. gentleman that his conduct is well watched and understood; that his opposition to the Government is thoroughly appreciated; and his present advocacy of a measure which he formerly denounced will have no weight. That hon. gentleman would not deny that he formerly had confidence in the views of the Inspector General on this question.²⁰⁰

MR. BROWN--Hear.²⁰¹

MR. PRES. EX. COUN. CAMERON.--Then what had induced the change in his opinions. It is natural to suppose that no one could be better fitted to judge of the course which the House should adopt. His antecedents,--his position,--enabled him to obtain information not in the possession of any other man; his acquaintance with the views of those persons in England who influence legislation,--all give him the best means of ascertaining the chances of success. In confirmation of his views on this point, he read a letter received by Mr. Hincks from Mr. Hume, advising the Canadian Legislature to pass another address to the Home Government on the subject of the Reserves.²⁰²

MR. TURCOTTE. Une grande question, M. l'orateur, doit se résoudre ce soir ou demain soir. L'honorable membre qui représente le comté de Kent (M. Brown), verra bientôt l'injustice²⁰³ des reproches amers qu'il a adressés à une partie de notre population, et en particulier à notre respectable clergé, en disant qu'ils marchaient sur les traces de l'hon. membre pour le comté de Montmorency.²⁰⁴ Il verra si réellement le député de Montmorency (M. Cauchon) a avec lui un grand parti, s'il s'est formé un parti clérical, s'il est capable de constituer en ce pays un parti de Jésuites. Il verra bientôt jusqu'où s'étend la grandeur²⁰⁵ [et] la puissance²⁰⁶ du parti de cet honorable membre.

Il est évident, en effet, M. l'orateur, que l'honorable député de Montmorency a choisi cette question des réserves du clergé pour faire l'essai de ses forces. Il veut montrer qu'il n'est pas seul de son opinion. Il veut justifier ce que l'on a dit dans une partie de la presse, savoir que le député de Montmorency avait un parti dans cette chambre. Eh! bien, on va voir quelle queue a l'honorable membre; on va en voir la longueur.²⁰⁷

Il avait été aisé de voir, depuis le commencement de la session, que le député pour Montmorency cherchait à se former un parti parmi les membres de la chambre. On l'avait vu circuler auprès des membres canadiens, s'informant de leurs opinions, cherchant à les endoctriner, c'est surtout parmi les nouveaux membres qu'il se plaisait à cabaler.²⁰⁸

MR. CAUCHON: je fais comme l'administration.²⁰⁹

MR. TURCOTTE: l'hon. membre pour Montmorency veut faire comme l'administration; mais il n'est pas permis, il n'est pas convenable, il n'est pas décent d'agir ainsi, excepté pour un chef de parti; mais l'hon. membre croit-il donc avoir un parti dans cette chambre? Le vote sur la question présente lui fera voir

quelle est la force de ce parti.²¹⁰

On se rappelle quel fantôme l'honorable député de Montmorency s'est fait du socialisme; selon lui, nous en sommes menacés, il est au milieu de nous²¹¹, il ne voyait partout que du socialisme²¹².

Aujourd'hui l'honorable membre se fait un nouveau fantôme²¹³; c'est la peur d'une révolution qui le fait frémir²¹⁴. Il craint de faire des menaces au gouvernement Anglais. Il nous dit que²¹⁵ dans les résolutions présentées à la chambre il aperçoit des menaces de collision, et en est épouvanté²¹⁶; la 7e résolution de l'honorable inspecteur-général [selon lui] est presque une déclaration de guerre à l'Angleterre. Voyons quelle est cette résolution²¹⁷ qui semble si menaçante.²¹⁸

(M. Turcotte lit la 7e résolution de M. Hincks). Eh bien, qu'est-ce que la chambre dit dans cette résolution?²¹⁹ Est-ce bien dans cette phrase qu'on peut voir une insurrection?²²⁰ Elle désire prévenir une collision, et elle avertit l'Angleterre que, si elle ne nous accorde pas ce que nous lui demandons, la collision, selon elle, est fort à craindre.²²¹ Mais l'hon. membre qui paraît si loyal professe pourtant de singulières doctrines: il dit que s'il était assez fort, il ne craindrait pas de se révolter.²²² Si le pays avait plus de force qu'il n'en a, lui l'honorable membre voterait les résolutions proposées.²²³

MR. CAUCHON. Je n'ai pas dit cela, mais j'ai dit que si le pays était de force à lutter avec l'Angleterre, il y aurait plus de bon sens et de raison à faire des menaces que dans notre position actuelle.²²⁴

MR. TURCOTTE: oh! l'hon. membre comprendrait mieux le bon sens²²⁵. C'est-à-dire que si l'honorable membre était plus fort, il aurait plus de raison que s'il était faible.

L'honorable représentant de Montmorency, depuis qu'il est question de ces résolutions, est allé à tous les nouveaux membres de la chambre, pour se faire appuyer dans son opposition à la dernière résolution.²²⁶

MR. CAUCHON. Je n'ai pour lors fait que ce que n'a cessé de faire l'administration.²²⁷

MR. TURCOTTE. L'administration n'avait pas besoin de cela, elle montrera qu'elle a un parti assez puissant. Mais l'honorable député de Montmorency verra quel parti si nombreux il a.

On s'est plaint dans la presse, M. l'orateur, de ce que le clergé protestant avait de grands biens appartenants à l'Etat. On a eu raison. Je suis contre l'alliance de l'Eglise et de l'Etat. Je suis au contraire pour la séparation, et si cette séparation n'a pas encore eu lieu, il est temps qu'on l'opère. Autrement les plus mauvaises conséquences découleront de cette monstrueuse alliance.

Je dis plus, M. l'orateur, si le clergé catholique se trouvait dans semblable position, j'agis de même. Mais les Bas-Canadiens catholiques sustentent leur clergé; ils le nourrissant [sic] ils pourvoient à sa subsistance. Les biens qui ont été donnés aux catholiques ne sont pas employés au soutien des desservants de paroisses. On les emploie au maintien de maisons d'éducation. Les catholiques n'ont donc rien à craindre, puisque ce n'est pas l'Etat qui soutient notre clergé, mais que ce sont leurs propres contributions. On a même dit que le peuple paye trop cher pour le soutien de son clergé; JE NE SAIS PAS JUSQU'OU CELA EST VRAI!

La question pour nous, c'est de savoir si les Bas-Canadiens doivent marcher dans le sens de l'agitation Haut-Canadienne sur ce sujet. Oui, M. l'orateur, c'est en ce sens que nous devons marcher; c'est un moyen de faire taire les

accusations de révolte et de rébellion qu'on nous lance à la figure. Nous nous trouverons marcher avec une population de langue et d'origine différentes des nôtres. C'est une question d'Etat pour nous.

Quant aux réticences du député de Montmorency, je dois dire qu'il ne les fait que parce qu'il pense que les ministres pourraient bien culbuter sur cette question. Alors l'honorable membre pourrait se joindre à une administration de principes différents de ceux du gouvernement actuel; il ne serait pas compromis.

Mais il n'y a rien de mal, rien de reprochable dans les résolutions qui sont devant nous; nous y parlons à l'Angleterre avec respect et énergie! Si nous n'employions pas ce langage, on rirait de nous en Angleterre.

Il est vrai que l'honorable membre de Montmorency craint immensément que ces résolutions n'aient le même résultat que les 92 résolutions.²²⁸ Mais l'hon. membre s'exagère aussi l'influence des 92 résolutions²²⁹, ce ne sont pas les 92 qui ont produit un mauvais résultat, ce sont les conséquences; autrement on n'aurait pas récompensé le moteur par une place de juge! Cette importante situation fut la récompense des principes de loyauté émis par lui dans les 92 résolutions.

Les troubles politiques n'ont été amenés que par les doctrines répandues sub-séqueusement chez le peuple²³⁰, doctrines en harmonie avec celles des 92 résolutions, mais qu'on a portées trop loin²³¹; bien que (on doit le dire) les chefs du mouvement n'en aient pas prévu la conséquence, qui était l'insurrection. En un mot les 92 résolutions n'ont pas eu d'effets révolutionnaires²³², d'ailleurs on sait que les années 1834, 35, 36 ont été tranquilles, l'effet des 92 résolutions devait être passé lorsqu'a éclaté l'insurrection.²³³

Le député de Montmorency a ainsi parlé, il a agi auprès des membres de cette chambre pour montrer ce qu'il est²³⁴. On savait qu'il n'aimait pas cette administration; il avait refusé d'elle une place très-lucrative²³⁵, une place importante²³⁶, parce que le ministère était composé d'éléments opposés. L'hon. membre pour Montmorency s'imaginait que ce refus de sa part aurait une large part des débats sur l'adresse, la question était si importante; mais voyant que personne n'en dit mot, il en crève de dépit²³⁷. Il a voulu se faire voir, faire parler de lui. Il a choisi une occasion solennelle pour déployer ses forces,²³⁸ pour tenter un coup de main; il veut faire parler de lui à tout prix.²³⁹ Nous en verrons sous peu, ce soir ou demain, le long et le large.²⁴⁰ Voilà donc cet honorable membre séparé de ses compatriotes après tant de protestations hypocrites. Mais remarquez: il n'a jamais voulu se prononcer sur la question des réserves du clergé, il ne veut pas se prononcer encore aujourd'hui, afin que si l'administration actuelle ne peut se maintenir, il aura l'espoir de faire partie de celle qui la remplacera, n'importe quelle sera la politique de ses membres sur la question des réserves du clergé ... il sera pour ou contre la sécularisation, suivant le besoin.²⁴¹

Quant à l'avancé de l'honorable député de Montmorency "que si l'on sécularise les réserves, on viendra plus tard s'attaquer aux biens de nos institutions religieuses," je n'hésite pas à dire que ce sont là des choses bonnes seulement pour des hommes qui n'auraient pas fait une étude approfondie de cette question.

Nous voulons la justice pour les protestants comme pour nous. Nous ne voulons pas de privilèges. Qu'on nous montre aujourd'hui ou plus tard, que les biens de nos institutions religieuses ne sont plus utiles, qu'ils ne sont plus employés à leur destination primitive, eh bien, malgré l'opposition du clergé, malgré sa grande influence, nous les donnerions et nous trouverions une majorité dans cette chambre pour nous supporter! Mais les titres de ces biens sont aussi bons que ceux des biens de chacun de nous.²⁴² M. Turcotte expliqua ensuite

la différence entre les réserves du clergé et les biens ecclésiastiques du Bas-Canada, dans le même sens que l'hon. A. N. Morin, et conclut en démontrant que le Bas-Canada avait aussi un intérêt dans la solution de cette question des réserves du clergé.²⁴³

Il est donc inutile, monsieur l'orateur, d'ajouter que je n'entretiens pas les mêmes craintes que le député de Montmorency²⁴⁴. [Il] trouvait les craintes manifestées par l'hon. membre parfaitement ridicules, et il était convaincu que les membres du gouvernement Anglais seraient les premiers à rire, si on leur disait qu'il s'est trouvé des membres du parlement provincial qui ont regardé la résolution en question comme une menace capable d'amener une révolution!²⁴⁵ He approved of the spirit of the resolutions of the government and believed that a population of two millions should ask in a firm voice for the right to legislate on a local question.²⁴⁶ Je suis et je voterai en faveur des résolutions.²⁴⁷

DR. FORTIER.--La question des Réserves intéresse aussi le Bas-Canada; c'est une erreur que de prétendre le contraire. En 1838²⁴⁸, [OR] en 1848²⁴⁹, il y avait dans le Bas-Canada²⁵⁰ un montant de 673,587²⁵¹ d'acres de terre affectées aux réserves.

C'est encore une autre erreur que de dire que les protestants, après avoir aboli les réserves, s'attaqueront ensuite aux biens des institutions religieuses des catholiques du Bas-Canada. Les biens de nos institutions religieuses sont une arche sainte sur laquelle ces messieurs impies ne porteront jamais les mains.

Les Bas-Canadiens ne doivent pas rester dans l'isolement lorsqu'il s'agit d'une mesure qui a pour but de mettre les réserves du clergé à la disposition de la législature locale. C'est néanmoins une erreur de vouloir anticiper sur l'avenir, et de vouloir prévoir quelle destination on donnera plus tard à ces biens²⁵², personne ne peut savoir quelle sera l'opinion de la chambre quand l'Angleterre aura laissé au gouvernement local le soin de législater sur la question.²⁵³ Il y a aujourd'hui à ce sujet une différence d'opinion parmi nous; la même différence d'opinion existera lorsqu'il nous faudra législater sur cette question.

On a voulu nous faire entendre, M. l'orateur, que la 7e résolution proposée par l'inspecteur-général, était une menace à l'Angleterre. J'avoue que j'ai partagé cette opinion²⁵⁴ jusqu'à un certain point, à première vue, mais après mûre réflexion²⁵⁵ j'ai découvert que je m'étais fait un fantôme²⁵⁶, et que la résolution pourrait même comporter encore des termes plus énergiques comme ceux que voici, par exemple:

"Les communes du Canada-Uni considèrent qu'il est de leur dignité de ne plus permettre au gouvernement britannique de s'immiscer dans les affaires d'un intérêt purement local que l'administration du Canada-Uni doit seule régir."

Il est bien décidé à laisser à l'Angleterre la prépondérance diplomatique, et il repousse toute idée d'annexion avec un pays qui contient trois millions et demi d'esclaves! Tant que nous n'aurons pas la force et la puissance d'être une nation indépendante, nous devons rester sous la protection du drapeau britannique, mais réclamer toujours le droit de régir nos affaires locales sans intervention.²⁵⁷ Le peuple doit parler sans crainte et avec énergie. Et l'homme qui voudrait reculer sur ce point et parler à double sens, ne mériterait pas la confiance du peuple.²⁵⁸

MR. VIGER. M. l'orateur, je n'occuperai pas le temps de cette honorable chambre en faisant un long discours, je déclare désapprouver cette mesure. Je

n'admets pas les principes sanctionnés par ces résolutions, et, par conséquent, je voterai contre toutes.²⁵⁹

MR. LANGTON narrated some circumstances which came under his knowledge in a township in the neighbourhood of Peterboro, to show that the Clergy Reserves had been injurious to the interests of the Church of England in that township, by leading the members of that church to look for outward assistance instead of helping themselves. He had during the afternoon intended to vote for the first resolution of the hon. member for Kent, as he believed it was important that the views of the government as a government should be made known upon the principle of the question; but he had changed his mind in consequence of the distinct statements of the ministry at the eleventh hour, that they would stand or fall on the secularization of the reserves. The hon. member made some further remarks on the ministerial resolutions, and said (as we understood) that he would vote against the third, although he did not entertain the fears expressed by the hon. member for Montmorency.²⁶⁰

DR. LATERRIERE.--Je crois ne devoir pas voter sur cette série de résolutions sans expliquer mes sentiments à ce sujet. Cette question des réserves du clergé n'a rien de directement intéressant pour nous, canadiens-français; mais nous sommes forcés de nous en occuper par la position que l'on nous a faite; et, pour ma part, c'est encore une fois avec la plus grande répugnance. Si je vote pour ces résolutions, c'est pour contribuer à la solution d'une question qui pourrait compromettre notre connexion avec l'empire, telle que l'exprime sans déguisement la 7^e résolution, si l'Angleterre n'asquiesçait [*sic*] pas à nos belliqueuses conditions, quoiqu'en aient pu dire l'inspecteur-général et le secrétaire-provincial. Je suis mû par un autre motif, celui de voir disparaître le renouvellement d'une question devant cette chambre sur laquelle la représentation du Haut-Canada, depuis vingt ans, diffère d'opinion à peu près à nombre égal. Voilà huit ans que je participe comme auditeur et spectateur à de violentes personnalités, à des déclamations interminables sur cette question, au grand préjudice, à l'interruption d'affaires beaucoup plus importantes. Le quart presque de chaque session se passe en discussions inflammatoires, en dépenses d'argent qui depuis que la législature s'est saisie de cette question, doivent maintenant approcher ou même excéder la valeur de ces réserves. La question de droit évoquée par les partisans de l'église anglicane, question qu'il aurait été si facile de juger, s'il n'y avait eu qu'une religion protestante anglicane comme il n'y a qu'une religion catholique romaine, la question, dis-je, se réduit aujourd'hui à une question de convenance, de justice égale envers les différentes dénominations religieuses qui ont autant de droit, suivant moi, à ces réserves du clergé que les plus puritains protestants anglais ou écossais. Ce droit prétendu exclusif qui n'a pour principe que l'intolérance qui frapperait d'un stigmat, qui déshériterait tous ceux qui se sont séparés de l'église anglicane, n'est point soutenable en justice distributive; en autant que ceux qui s'en sont séparés, sortent de la même source, sortent de la même mère, sont tous frères en Jésus-Christ, et que le droit injuste de primogéniture ne lui est point applicable. Ce sont ces raisons qui me portent à voter pour ces résolutions jusqu'à la sixième inclusivement. Je déclare bien distinctement néanmoins que je voterai contre la septième, qui est une menace, un défi, un cartel, une déclaration en forme d'indépendance, en un mot, notre ultimatum à l'Angleterre! Ce serait un acte d'imprudance pour nous, Canadiens-Français, de pousser, de provoquer une semblable querelle, dans laquelle nous n'aurions rien à gagner mais tout à perdre. Il arriverait peut-être ce qui arrive à des témoins imprudents; les champions de ce cartel pourraient succomber ou se sauver.

Nous Canadiens-Français, nous serions exilés, écrasés comme en 1837, et voilà ce que nous aurions gagné à nous adjoindre avec nos chers, nos très-chers frères du Haut-Canada. Que ce soit parlementaire ou non, je conclurai par dire et par prier Dieu qu'il nous délivre, et pour toujours, des réserves du clergé et de ceux qui y attachent autant d'importance, et s'y cramponnent comme à leur seule planche de salut politique.²⁶¹

On motion, the farther consideration of the question was postponed until to-morrow, and the House adjourned.²⁶²

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*On motion of the Honorable Mr. Badgley, seconded by Mr. Gamble,
Ordered, That the Debate be adjourned until To-morrow, and be the first
Order of the day after the presenting of the Reports of Committee.*

Ordered, That the remaining Orders of the day be postponed until To-morrow.

*Then, on motion of the Honorable Mr. Robinson, seconded by the Honorable
Mr. Badgley,
The House adjourned.²⁶³*

FOOTNOTES: 15 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: BRITISH WHIG, 16 September 1852, GLOBE, 16 September 1852, PILOT, 16 September 1852, BRITISH COLONIST, 17 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, and BATHURST COURIER, 24 September 1852; HAMILTON SPECTATOR DAILY, 17 September 1852, PILOT, 17 September 1852, BRITISH WHIG, 17 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, and OTTAWA CITIZEN, 25 September 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 16, 17 September 1852, MONTREAL GAZETTE, 18 September 1852, PILOT, 18, 20 September 1852, QUEBEC GAZETTE, 20 September 1852, BRITISH COLONIST, 21 September 1852, HAMILTON SPECTATOR DAILY, 22 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, NORTH AMERICAN, 24, 30 September, 7 October 1852, HAMILTON GAZETTE, 27 September 1852, NORTH AMERICAN SEMI-WEEKLY, 28 September, 1 October 1852, and NIAGARA MAIL, 29 September 1852. The debate was also reported by: GLOBE, 25, 28 September, 1852; LA MINERVE, 18 September 1852; and JOURNAL DE QUEBEC, 18, 21 September 1852. The debate was noted by: MONTREAL GAZETTE, 16 September 1852; and LA MINERVE, 16 September 1852. Commentaries appeared in HAMILTON SPECTATOR WEEKLY, 16, 23 September 1852; HAMILTON SPECTATOR DAILY, 17 September 1852; and LA MINERVE, 18 September 1852, which noted: "La séance ... [de mercredi] soir a été beaucoup plus intéressante, ou au moins beaucoup plus amusante que n'avait été celle de la veille. Nous avons assisté à une espèce de drame; les émotions du patriotisme, du courage et de la peur ont dû s'emparer tour-à-tour des auditeurs et des auditrices...."
2. HAMILTON SPECTATOR DAILY, 17 September 1852, reported that Mr. Brown "spoke for nearly three hours." LA MINERVE, 18 September 1852, stated that he "n'a pas parlé moins de trois heures et demie."
3. GLOBE, 28 September 1852.
4. MORNING CHRONICLE, 16 September 1852.
5. GLOBE, 28 September 1852.
6. MORNING CHRONICLE, 16 September 1852.
7. GLOBE, 28 September 1852.
8. IBID.
9. IBID.
10. MORNING CHRONICLE, 16 September 1852.
11. GLOBE, 28 September 1852.
12. IBID.
13. IBID.
14. IBID.
15. IBID.
16. IBID.
17. IBID.
18. MORNING CHRONICLE, 16 September 1852.
19. GLOBE, 28 September 1852.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.

29. IBID.
30. IBID.
31. IBID.
32. IBID.
33. IBID.
34. MORNING CHRONICLE, 16 September 1852.
35. GLOBE, 28 September 1852.
36. IBID.
37. IBID.
38. IBID.
39. IBID.
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41. IBID.
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50. IBID.
51. IBID.
52. IBID.
53. IBID.
54. IBID.
55. MORNING CHRONICLE, 16 September 1852.
56. GLOBE, 28 September 1852.
57. IBID.
58. IBID.
59. MORNING CHRONICLE, 16 September 1852.
60. GLOBE, 28 September 1852.
61. MORNING CHRONICLE, 16 September 1852.
62. GLOBE, 28 September 1852.
63. MORNING CHRONICLE, 16 September 1852.
64. GLOBE, 28 September 1852.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. MORNING CHRONICLE, 16 September 1852.
70. GLOBE, 28 September 1852.
71. IBID.
72. IBID.
73. IBID.
74. MORNING CHRONICLE, 16 September 1852.
75. GLOBE, 28 September 1852.
76. MORNING CHRONICLE, 16 September 1852.
77. GLOBE, 28 September 1852. The ellipsis represents an illegible word.
78. BRITISH COLONIST, 21 September 1852.
79. MORNING CHRONICLE, 17 September 1852.
80. IBID.
81. IBID.

82. IBID.
83. JOURNAL DE QUEBEC, 18 September 1852.
84. MORNING CHRONICLE, 17 September 1852.
85. JOURNAL DE QUEBEC, 18 September 1852.
86. MORNING CHRONICLE, 17 September 1852.
87. JOURNAL DE QUEBEC, 18 September 1852.
88. MORNING CHRONICLE, 17 September 1852.
89. JOURNAL DE QUEBEC, 18 September 1852.
90. MORNING CHRONICLE, 17 September 1852.
91. JOURNAL DE QUEBEC, 18 September 1852.
92. MORNING CHRONICLE, 17 September 1852.
93. JOURNAL DE QUEBEC, 18 September 1852.
94. MORNING CHRONICLE, 17 September 1852.
95. JOURNAL DE QUEBEC, 18 September 1852.
96. MORNING CHRONICLE, 17 September 1852.
97. JOURNAL DE QUEBEC, 18 September 1852.
98. MORNING CHRONICLE, 17 September 1852.
99. JOURNAL DE QUEBEC, 18 September 1852.
100. IBID., 21 September 1852.
101. QUEBEC GAZETTE, 20 September 1852.
102. JOURNAL DE QUEBEC, 21 September 1852.
103. IBID.
104. IBID.
105. QUEBEC GAZETTE, 20 September 1852.
106. JOURNAL DE QUEBEC, 21 September 1852.
107. QUEBEC GAZETTE, 20 September 1852.
108. JOURNAL DE QUEBEC, 21 September 1852.
109. QUEBEC GAZETTE, 20 September 1852.
110. JOURNAL DE QUEBEC, 21 September 1852.
111. QUEBEC GAZETTE, 20 September 1852.
112. JOURNAL DE QUEBEC, 21 September 1852.
113. IBID.
114. IBID.
115. LA MINERVE, 18 September 1852.
116. JOURNAL DE QUEBEC, 21 September 1852.
117. QUEBEC GAZETTE, 20 September 1852.
118. LA MINERVE, 18 September 1852.
119. IBID.
120. IBID.
121. JOURNAL DE QUEBEC, 21 September 1852.
122. IBID.
123. IBID.
124. QUEBEC GAZETTE, 20 September 1852.
125. JOURNAL DE QUEBEC, 21 September 1852.
126. QUEBEC GAZETTE, 20 September 1852.
127. JOURNAL DE QUEBEC, 21 September 1852.
128. QUEBEC GAZETTE, 20 September 1852.
129. IBID.
130. GLOBE, 25 September 1852.
131. QUEBEC GAZETTE, 20 September 1852.
132. GLOBE, 25 September 1852.
133. IBID.
134. IBID.

135. IBID.
136. IBID.
137. QUEBEC GAZETTE, 20 September 1852.
138. GLOBE, 25 September 1852.
139. QUEBEC GAZETTE, 20 September 1852.
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141. QUEBEC GAZETTE, 20 September 1852.
142. GLOBE, 25 September 1852.
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145. QUEBEC GAZETTE, 20 September 1852.
146. GLOBE, 25 September 1852.
147. QUEBEC GAZETTE, 20 September 1852.
148. GLOBE, 25 September 1852.
149. QUEBEC GAZETTE, 20 September 1852.
150. IBID.
151. IBID.
152. GLOBE, 25 September 1852.
153. QUEBEC GAZETTE, 20 September 1852.
154. GLOBE, 25 September 1852.
155. QUEBEC GAZETTE, 20 September 1852.
156. GLOBE, 25 September 1852.
157. QUEBEC GAZETTE, 20 September 1852.
158. GLOBE, 25 September 1852.
159. QUEBEC GAZETTE, 20 September 1852.
160. GLOBE, 25 September 1852.
161. QUEBEC GAZETTE, 20 September 1852.
162. IBID.
163. IBID.
164. IBID.
165. IBID.
166. IBID., claimed that here "Mr. Brown tried again to explain, but stuttered and mumbled inaudibly."
167. GLOBE, 25 September 1852.
168. IBID.
169. IBID.
170. IBID.
171. IBID.
172. QUEBEC GAZETTE, 20 September 1852.
173. IBID.
174. IBID.
175. GLOBE, 25 September 1852.
176. QUEBEC GAZETTE, 20 September 1852.
177. GLOBE, 25 September 1852.
178. QUEBEC GAZETTE, 20 September 1852.
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196. QUEBEC GAZETTE, 20 September 1852.
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203. JOURNAL DE QUEBEC, 21 September 1852.
204. LA MINERVE, 18 September 1852.
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- 257. LA MINERVE, 18 September 1852.
- 258. JOURNAL DE QUEBEC, 21 September 1852.
- 259. IBID.
- 260. QUEBEC GAZETTE, 20 September 1852.
- 261. JOURNAL DE QUEBEC, 21 September 1852.
- 262. GLOBE, 25 September 1852.
- 263. HAMILTON SPECTATOR DAILY, 17 September 1852, noted that "the debate ... continued ... till about 7½ o'clock."

THURSDAY, 16 SEPTEMBER 1852.

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The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Cameron,--The Petition of W. Brough and others, of the Village of Gananoque; and the Petition of Thomas Cook and others, of the Township of Marysburgh.

By Mr. Lacoste,--The Petition of Duncan Macdonald and others, Members of the Academy of St. John's.

By Mr. Solicitor General Chauveau,--The Petition of the Honorable George Pemberton and others, of the City and neighbourhood of Quebec.

By Mr. Polette,--The Petition of A. Polette, Esquire, President, and others, Members of the Mechanics' Institute of Three Rivers.

By Mr. Mackenzie,--The Petition of A. C. Buck and others, of the County of Haldimand.

By Mr. Sicotte,--The Petition of the Town Council of the Town of St. Hyacinthe.

By Mr. Terrill,--The Petition of W. G. Cook and others, Trustees of the Charleston Academy.

By Mr. Brown,--The Petition of the Reverend E. White and others, of the Town of Port Sarnia; the Petition of William McAlpine, Chairman, and James Menerey, Secretary, on behalf of a Meeting of the Inhabitants of the Township of Warwick, County of Lambton; the Petition of the Municipality of the United Townships of Camden and Zone; and the Petition of Mrs. A. H. Reid and others, females, residing in the County of Prince Edward.

By the Honorable Mr. Badgley,--The Petition of John S. Hall and others, members of the Independent Order of Rechabites.

By Mr. White,--The Petition of Robert Wyllie and others, of Ayr and its vicinity; and the Petition of H. R. O'Reilly and others, of the County of Halton.

By Mr. McLachlin,--The Petition of James Stevenson and others, of Portage-du-Fort, on the River Ottawa; the Petition of Edward Ferrall and others, of the Township of Horton, County of Renfrew; the Petition of William Edwards, Esquire, and others of the Township of Clarence, County of Russell; and the Petition of Peter Morris and others, of the Township of McNab, County of Renfrew.

By the Honorable Mr. Macdonald,--The Petition of Sister Lacroix, Superior, and others, Sisters of the Hôtel-Dieu Nunnery Hospital, and others, Citizens of Kingston.

By Mr. Stuart,--The Petition of the Reverend R. R. Burrage, of the City of Quebec; and the Petition of Baptiste Deroche and others, of St. John's Suburbs, City of Quebec.

Pursuant to the Order of the day, the following Petitions were read:--

Of A. Scott and others, of Bytown and its vicinity; of Henry Hall and others, of the Township of Binbrook; of the Municipality of the Village of Paris; of Jacob Rynal and others, of the Counties of Wentworth and Brant; of William D. Mattice, Esquire, and others, of the Town of Cornwall; of the Reverend Robert Boyd and others, of the Counties of Middlesex and Elgin; of Alexander Clark and others, of the Townships of Ekfrid and Caradoc; of John Lancaster and others, of the County of Peel; of Sarah Jackson and others, mothers and daughters, of the City of Hamilton; of William Nixon, and other youths, of the

City of Hamilton; of Christina Laing and others, mothers and daughters, of the Village of Wellington Square and vicinity; of Morris L. Green and others, of the County of Oxford; of James Gardiner and others, on behalf of the Bay of Quinté Annual Conference of the Methodist Episcopal Church in Canada; of the

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Reverend John Segbert, Bishop, and others, the Elders and Ministers of the Evangelical Association in Conference assembled at Berlin, County of Waterloo; of Robert Emond and others, of the County of Waterloo; of H. Glass and others, of the Counties of Kent and Lambton; and of the Reverend William Reid and others, of the County of Prince Edward; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of Norman B. Fish and others, of the Township of London, County of Middlesex; praying for the adoption of measures to secularize the Clergy Reserves, to abolish the Rectories and separate School systems, and for the better promotion of Common School Education.

Of John McGill Chambers, of Montague, in the United Counties of Lanark and Renfrew; praying for the appointment of Commissioners to settle the boundary line between the fourth Concessions of the Townships of Montague and North Elmsley.

Of Charles Hector A. Huot, of the Parish of Baie St. Paul, County of Saguenay; praying payment of a certain amount due him for services in assisting to take the last Census of the said County.

Of George Larue, Esquire, M.D., and others, of the Parish of St. George de Cacouna and other places, in the County of Rimouski; praying aid for the construction of a Wharf and Pier at Fontaine Claire, in the said Parish.

Of Alanson Cooke and others, of the District of Ottawa; praying aid for the construction of Bridges over the principal Rivers flowing into the River Ottawa in the said District, to enable them to open a main Road through the said District parallel with the said River.

Of Edward Cole, Esquire, and others, of the Seigniority and Fief of La Petite Nation; praying the adoption of equitable measures for the abolition of the Seigniorial Tenure.

Of the Mayor and Corporation of the Town of Dundas; and of James Coleman, Esquire, Mayor, and others, of the Town of Dundas; praying that the Corporation of the said Town may be authorized to issue Debentures and become security on behalf of the Desjardins Canal Company, to the Great Western Railroad Company, or any other Corporate body or person, for the outlay on a proposed improvement of said Canal, by means of a cut through Burlington Heights.

Of the Desjardins Canal Company; praying that on their behalf the Corporation of the Town of Dundas may be authorized to issue Debentures and become security to the Great Western or any other Company or person, for the outlay on the proposed improvement of the Desjardins Canal by means of a cut through Burlington Heights, and also for authority to fill up and close the channel now used for the said Canal.

Of the Bar of Lower Canada, Section of the District of Montreal; praying for the repeal of the provision of the Act 12 Vic. cap 112, imposing a tax or duty on Civil Proceedings and Registrations to defray the expense of erecting a new Court House in the City of Montreal, and that a more equitable tax or assessment be made for that purpose.

Of William S. Childs and others, of the City of Montreal; praying for an Act of Incorporation under the name of the Montreal Manufacturing Company.

Of the Reverend John Reynolds and others, on behalf of the Bay of Quinté Annual Conference of the Methodist Episcopal Church in Canada; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Ordered, That the Petition of John McGill Chambers, of Montague, in the United Counties of Lanark and Renfrew; the Petition of the Desjardins Canal Company; the Petition of James Coleman, Esquire, Mayor, and others, of the Town of Dundas; and the Petition of the Mayor and Corporation of the

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Town of Dundas, be referred to the Standing Committee on Standing Orders.

A Message from the Legislative Council, by John Fennings Taylor, Esquire, one of the Masters in Chancery:--

Mr. Speaker,

The Legislative Council have passed the Bill, intituled, "An Act for avoiding doubts which might otherwise arise from the Act making alterations in the Territorial Divisions of Upper Canada having come into effect since the last General Election," without any Amendment.

And then he withdrew.

Mr. Seymour, from the Standing Committee on Contingencies, presented to the House the First Report of the said Committee; which was read, as followeth:--

Your Committee have made progress in the examination of the Account Current laid before them by the Clerk of Your Honorable House, and they find that in consequence of the amount of disbursements being beyond that of the receipts, and the constant demands to meet the current expenses of Your Honorable House, it becomes necessary to make an advance therefor.

Your Committee consequently recommend, that the sum of Five thousand pounds, towards defraying the Contingencies of Your Honorable House during the present Session, be advanced to the Clerk, and that an humble Address to His Excellency for the purpose be accordingly presented.

On motion of Mr. Seymour, seconded by Mr. Jobin,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to issue his Warrant in favor of William Burns Lindsay, Esquire, the Clerk of this House, for the sum of Five thousand pounds, towards defraying the Contingencies of this House; and assuring His Excellency that this House will make good the same.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That the Return relative to the late University of King's College and to the University of Toronto, which was presented on the 31st August last, be printed for the use of the Members of this House.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 7th September, 1852, for copies of all Correspondence between the Executive Government, or any Member thereof, and the Contractor or Contractors for furnishing Steam Tug Boats on the River St. Lawrence, or with the Montreal Board of Trade, or any other person or persons, on the subject of withdrawing the said Tug Boats, and discontinuing the accommodation afforded by them to the Trade of the Province.

For the said Return, see Appendix (C.C.)

The Order of the day being read, for resuming the adjourned Debate upon the Amendment which was yesterday proposed to be made to the Question, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to

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repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;" and which Amendment was, That all the words after "That" to the end of the Question be left out, in order to add the words "this House deeply regrets that Government in bringing the subject of the Clergy Reserves again before Parliament, has refrained from the expression of any opinion, as a Government, upon their future appropriation--the real issue of the question;"

And the Question on the Amendment being again proposed:--The House resumed the said adjourned Debate.¹

MR. BADGLEY rose to speak on the Clergy Reserve question. He commenced by stating the present position of the question.--The ministry did not say what they intended to do with the reserves provided they obtained the power to legislate, but they threatened the imperial government with the consequence of refusing that power.--The hon. member went over the early history of the reserves, and referred to the different acts upon the subject up to the passing of the imperial act of 1840.² [He] contended that the question which has again been agitated had been settled permanently, because the settlement was effected by an Act of the Imperial Parliament, which could not subsequently be affected by any retrospective legislation. But there was one point, he said, connected with the subject, which could not be got over, and that was the finality of the measure which both Lord John Russell and Lord Sydenham contemplated. It could not be doubted that the great object which the latter had in view previous to the Union of the two Provinces, was the final settlement of the great Upper Canada question. And it was a very singular coincidence, that the Act of George the Third, which constituted the Clergy Reserves, was passed at the same time as that which gave a Constitution to Canada, while the Act which passed for the distribution of those Reserves, passed in the third and fourth years of the reign of her present Majesty, was passed at the same time as that establishing the present constitution, and therefore, both must be considered as constituting one uniform system. Lord Sydenham was very desirous of effecting the union of the two Provinces, and therefore endeavoured to remove every difficulty, and to prepare the way for the amicable working of the Union Act. He saw one great barrier, and he wrote to Lord John Russell, not to leave unsettled what would add to the scenes of discord in Lower Canada, and be a new element of strife; for amid all that existed there, the greatest evil was wanting--that of religious strife. He thanked God that such continued to be the case; and hoped it would so continue, as the inhabitants had hitherto been living in peace and tranquillity. On the other hand if the door of discussion were to be opened, it would be introducing a state of things in Lower Canada that had been unknown since the conquest. This was not only Lord Sydenham's opinion, but it was very generally entertained throughout the country. And at a meeting held in Toronto some time since, the member for Kent in a speech which he made on that occasion, had expressed himself to the effect that the reverend gentleman who preceded him had

stated correctly that the impression which was generally entertained was, that the settlement of 1840 was final. We therefore have Lord Sydenham and the member who is now representing a constituency desirous of re-opening the question, both entertaining the same view of the subject.³

MR. BROWN said, those were not his sentiments, for he went on to show that he was opposed to that construction.⁴

MR. BADGLEY continued, he meant to say that the member for Kent was expressing the opinion of a large body of other denominations; so that the general impression was in favour of finality.⁵

MR. BROWN would not admit that.⁶

MR. BADGLEY said, to come nearer home, as had been said, if you touch the Reserves of Upper Canada, and do not allow the settlement to remain as final, you may open up the same question in Lower Canada, with reference to which the same arguments may be advanced. He should be exceedingly sorry to do so; but he conceived that the Acts of Parliament by which the Reserves were secured to the Protestant Clergy were as strong for the purpose therein designated, as any Act of Parliament or other Imperial sanction to the endowments in Lower Canada. He did not see how it was possible to set aside the enactments of the third and fourth of Victoria, and not apply the same rule to the Seminary of Montreal which was an equally final measure, and which he hoped never to see disturbed-- he trusted there was no desire to do so; but if the Act with reference to the Reserves was not to be considered as final, how could they prevent the same enthusiasm, if successful in the one case, from being directed against the Seminary of Montreal? Both establish the right of property, and show how it is to be applied; that of the Seminary, as gentlemen all knew, is to be applied to the education of the youth of Lower Canada, and which had exercised a moral and religious influence throughout the Country, and made its inhabitants a moral and intelligent people. Take away from the clergy the Reserves, and where would you leave them? Could gentlemen point to any country where the clergy had been supported by their flocks on the voluntary principle? From the time of Athens and Rome, the clergy had everywhere been supported by large endowments from the state. What would have been the situation of Europe during the dark ages, if the Roman Catholic clergy had not been supported in this way; who were thus enabled to maintain religion and Christianity in Europe, which would have been overrun by Mahomedanism, had the clergy been supported by voluntary contributions. It was [*sic*] these endowments which enabled them to support the poor, the ignorant, and the destitute, who protected them from their feudal lords, and enabled Christianity to survive to the present time. He was satisfied, he said, that no Roman Catholic or Protestant desired to see education separated from religion. He considered combined schools as an impossibility, and it must be left to the clergymen of the different denominations to see that the youth of their congregations were properly instructed. The Clergy Reserve fund might be supplied to other purposes than providing for the mere bodily comforts of the clergy; and except during periods of enthusiasm, sufficient will be raised to maintain the clergy in the position which they ought to retain. In England, France, and throughout the Continent, large endowments have been granted for their support; and in Lower Canada they are supported by tithes, which every proprietor of land is compelled to pay, and which are established by law.--It appeared to him that the appropriation of the Clergy Reserves for purposes of general education would be an easy mode of relieving the people from

the payment of a large amount of school taxes; and he thought there was a great deal of selfishness mixed up with a large appearance of enthusiasm on the other side. There was a singular coincidence, he remarked, between the letter of the Inspector General, in his correspondence with the Secretary of State for the colonies, and the tenor of the resolutions,--it appeared very much as if he wished to show the influence he possessed. There was one difference, however, which was material. In the resolutions, there is a threat; whereas in the letter such language is sedulously avoided.⁷ He read the third of the resolutions of the ministry, and contended that it would be derogatory to that House⁸ [and] improper to express such a sentiment as is contained in this resolution ... where Her Majesty is called upon to concur with the framer of the series; and if this is not done, she must expect the most lamentable consequences; and saying, in effect, that on such an event England would be compelled to give up this country. These were large words, used to little purpose; and it would not be becoming⁹ to any legislature¹⁰ to use them. He thought a little more care should have been used in getting up the resolutions, which are characterised [*sic*] by a bad feeling that seems to be at the bottom of the affair, and which must have dictated the language alluded to. As to any lamentable consequences, he did not apprehend any; for the people would not be so mad as to cut each other's throats on account of a measure that is only of consequence in Upper Canada. He was satisfied that no such result would be produced in this section of the Province. It was all very well to say the priesthood ought not to be supported by the state. If the Roman Catholic and Protestant clergy could engage in mercantile and other pursuits, and obtain a livelihood, such aid might be withdrawn; but until then they must be supported by endowments, and the hold they have on their flocks. He concluded by saying, that he felt strongly on the subject, as the convulsions of Upper Canada must extend to this portion of the country; and however united its inhabitants may be at present,--socially, politically, and he had almost said as regards religion,--yet, if the attempt to destroy the support of religion in Upper Canada should succeed, he did not see how it could be possible to prevent similar effects from extending to the Lower Province.¹¹ He should deeply regret [this] as he believed ... [the present construction] produced peace and happiness.¹²

MR. PAPINEAU¹³ (en anglais,)¹⁴ said, there are two series of resolutions before the House, submitted by the Inspector General and the member for Kent. Those proposed by the former would be the means of protracting the question indefinitely, as he may continue a correspondence from year to year, during which it would remain unsettled.¹⁵ The resolutions and correspondence of the Inspector General upon the Clergy Reserves were a mummery.¹⁶ He therefore was not sincere when he proclaimed his sorrow on the occasion. It was not in England alone that the effects of ministerial changes are felt, but they extend to Canadian concerns, and deeply affect our local interests. What with changes of ministers in England, and Governors in this Province, none of our difficulties can be settled,--which renders the state of the Colonies one of humility and degradadation [*sic*]; and he thought the time had arrived for such a condition to cease, and therefore disliked the proceedings of the Inspector General, because the same formalities are proposed to be observed that have so often led to such unsatisfactory results: the resolutions concluding by the proposal of an address. The members of the Cabinet, he said, had gone beyond what they originally intended, and one by one have been heard to declare that they are ready for the secularization of the Clergy Reserves,

which the resolutions do not avow, but which declarations are made to gratify their constituencies, because the people are desirous of such secularization,¹⁷ and it did not now become them to go before the Imperial Government with a descending address.¹⁸ Why is it that there is this difference of language used in the house, and when an address is presented to the Home Government?¹⁹ Why did they not say boldly as a ministry what they wished to do?²⁰ The subject had been frequently before that body, and there was none which created so much²¹ bitter²², intemperate discussion; and is it to be said that the same angry dispute is to be repeated, year after year, and a great portion of every session is to be taken up in this manner? And if among men of education such scenes are presented, what must be the effect among the masses of the people, when they discuss the question? The country is represented truly in that house, and any decision which takes place there will affect the Province at large.²³ Such resolutions as those of the ministry were not calculated to advance the settlement of the question.²⁴ The members of the Church of England, he said, expressed themselves satisfied, and well they might,—they have the hon's share, and do not wish to be put on any other footing. If they had two-thirds or one-half of the population, then they would be entitled to receive support in the same ratio; but they had every reason to be satisfied with the finality of the settlement, owing to the continual change that is taking place in every congregation.²⁵ He next remarked at length upon the Clergy Reserve endowments, and contended that²⁶ they were not far-seeing persons who in 1791 introduced a system that is unknown in other British Colonies, where religion has been disseminated and supported by societies for propagating it in foreign parts.²⁷ L'appropriation des réserves du clergé est la plus grave et la plus pernicieuse erreur qui ait jamais été commise dans le système colonial de l'Angleterre.²⁸ He attributed the ... error that was thus committed at that time, to the course pursued by Mr. Pitt, who resorted to new means of meeting the emergency of that period. He then went into a brief history of the events which preceded the American Revolution, to the attempt to establish Bishops in the New England Colonies. It was not true that Lower Canada is not interested in the Clergy Reserve question. When the country began to be settled, with a view of rendering the land of higher value, settlements were commenced on the frontier, and no cause existed for complaint; but now that settlements extend far into the interior and population has increased rapidly, additional value has been given to land by the labour which is bestowed; and the proceeds of their industry should not go to a church from which they receive no benefit, and derive no advantage. He would not speak less respectfully of the Church of England than of any other; it was less removed from the splendour of that of Rome, and was actuated by a greater spirit of toleration than any other church, therefore his leanings would be in favour of the claim which the Church of England makes.²⁹ After referring to the beats and enmities which had existed and still did, in Upper Canada, he stated that the country could only be calmed by doing away with this kind of property altogether.—He knew that doing away with the Reserves would cause an attack upon his own church³⁰. But in deciding the question, members were to be guided by principles of justice, and should act with Upper Canada in every question in which she is interested; which he would examine for himself and decided upon as truly as if the rights of his own church were invaded.

He ... [went] on to state that it was evident dissenters were the most numerous in Upper Canada.³¹

MR. BROWN interrupted him by stating that there were no dissenters in that part of the Province.³²

MR. PAPINEAU continued, he meant to say that those who separated from the Churches of England and Scotland were called dissenters, and among whom was the deepest degree of dissatisfaction, and which could be terminated in no other way, than by the total extinction of that sort of property which was intended exclusively for the English Church, owing to the interference of the bishops, and who prevented any remedy from being hitherto applied.³³ When this debate was commenced the House did not know what were the views of the ministry upon this subject, and³⁴ as he had before remarked, it was only during the debate which had taken place, that the views of the Cabinet had been elicited, the members of which had denied the truth of the statements made in the public papers which had been quoted.³⁵ If civility ought any where to be looked for in that House, it should be from the ministerial benches, yet they had seen the language made use of by the ministry in denying reports of their own speeches. He stated the members of the ministry had been inconsistent in their declarations and in their position, and that they presented the appearance of men who had made a scramble for power, no matter at what sacrifice of principle, and trusted to chance for a majority from day to day.³⁶ It was true a mistake might be made in one or two instances, wherein a gentleman had spoken his mind, but when there was a succession of occasions, there could be no mistake, and the statements must be true.³⁷ That was a most humiliating and degrading position for a ministry.³⁸ But in conversation here, they had declared that they were not prepared to secularize the Clergy Reserves, as had been represented they had said in Upper Canada; and now, when pressed by their colleagues, they acknowledge they were ready to do so when clothed with power. They had declared they were to carry out the views of the last Administration; this was the statement of the Provincial Secretary. But it was well known that the late Attorney General East had said that he never would consent to the secularization of the Clergy Reserves. How, then, could the members of the Government say that they were carrying out the views of the former Cabinet, when they act contrary to the sentiments of one of their predecessors in office? It was evident that when the present combination took place, the parties did not foresee its consequences and had not come to any conclusion on the subject until forced by circumstances. If they had been all agreed, why did they not come forward with a bill, as they had the same right to proceed in that way as by petition.³⁹ A bill was the proper and best means to settle the reserve question⁴⁰ and would prevent a protracted correspondence, which is most suitable to the views of the members of Government.⁴¹ It would leave Sir John Pakington no alternative, and he must either accept or refuse. It would also bring the matter to a test in this province. He trusted that some member of the House would bring in a bill, if the ministry should fail in their duty.⁴² The hon. gentleman here alluded to the resolution which refers to the wrong impressions made at the Colonial office, which the Provincial Secretary said did not refer to the Governor General.⁴³ He read the resolution, which stated that endeavors had been made to induce the Imperial Government to believe that the feelings of the present parliament were different from those of the last.--He dilated at some length upon this resolution, contending that it shewed one of the worst and most degrading features of Colonial vassalage.⁴⁴ He was prepared for such a declaration; but what opinion was to be formed of a system of Responsible Government, when private communication could produce at the Colonial office the effect which was desired⁴⁵. The ministers carried on correspondence with the home government which could not be procured by the house, and for which they could not be brought to account. They made great professions of loyalty --such loyalty from such men! They were at least well paid for it. He

condemned the principle of sending addresses to England, and remarked upon what he termed the former insolence of Colonial ministers, which had trenched deeply upon the liberties of this country.- -In all countries, but especially in new countries, finality was an absurdity. Justice was a word of eternal meaning; and justice every man had a right to claim for power.⁴⁶ The Act of Parliament extended the endowment to the Church of Rome, because emigrants were continually arriving from Ireland; but it was a departure from the original intention as fully as the measure which is now desired. It was right that provision should be made for the instruction of the people by those who ought to instruct them, and of that religion which teaches to avoid punishment in the world that is to come, and which tends to the moralization of man; and on the other hand, to bestow that civil education which elevates man, teaches him obedience to the laws, and the improvement of his mental and physical faculties, in order that he may support his family, by means of elementary schools; which would be the best arrangement that could be made for education in any country, and for the employment of the property under consideration.⁴⁷ A country might make provisions for religious worship; for religion was the consolation of the people; yet in our neighbouring state no public provision was made for religious instruction, while the people were not the less moral on this account. But if it were proper to divert the Reserves from their original purposes, let them be changed as little as possible. Let then secular education be the object to which the reserves should be devoted; and let this object be at once stated by the ministry in a way to pledge them to it: the ministry at present took care to avoid this pledge as far as they could, and though the House was informed last night for the first time of the views of the ministry on this subject, yet it was informed only in words.⁴⁸ Therefore the amendment proposed by the member for Kent to the original resolutions should be adopted, because it would be adopting what was known to be the sentiments of the ministry. Why did they not say in writing, that when clothed with power they would agree to the secularization of the Reserves⁴⁹? Why did they not put their hands to something that could bind them hereafter, and not act and speak in such a manner, as like the statements in their newspapers could be either explained or escaped from?⁵⁰ There could be then no error, and no means of retracting what they had stated.⁵¹ The injustice of the reserves consisted in this, that the church of England and other churches who received these funds were enriched by the sweat and labour of those who did not belong to that church. For his own part he respected that church as the one which, owing perhaps to her position, had produced the greatest number of men of learning and piety.⁵² It was reasonable to hope that in time the members of that church which had produced men of great eminence, and which stood next in his estimation to the church of Rome, would take a more enlarged view of the subject, and act for the good of the country⁵³. He also respected other churches; but was opposed to sectarian provisions, and so⁵⁴ he should vote for the amendment to the resolutions, which had been submitted by the member for Kent, which was better than the proposition of the Government, which has for its object an address, and a prolonged correspondence with the Colonial office.⁵⁵ [He] would vote for the resolutions, if possible, with Mr. Brown's amendments, if not, without them, with the exception of the one speaking of collision, to which he was opposed, as absurd; and this not because it was too strong, but because he did not fear any collision under the guidance of the present ministry; but because the whole paragraph was but a vain and empty sound; except also the fourth, which spoke of a correspondence, that as he could not impute to the Governor General, must refer to something underhand. Now he would not insult the colonial

office by imagining that it would attend to any other than official communications, and, therefore, would not refer to anything now before the House.⁵⁶

MR. PROV. SEC. MORIN said two things had been prominent during the debate, the disposal of the Clergy Reserves, and a collision. It was evident the member who had just sat down was in favour of collision.⁵⁷ For himself he desired the settlement. The collision spoken of, however, was not armed collision; but that collision between the two legislatures which might be most injurious to the country.⁵⁸ If they were to proceed by Bill, no minister in England could recommend that the royal assent should be given. Therefore the passing of a bill would produce a collision, and not the settlement of the question. He did not wish for collision; the people of this country enjoyed British liberty, and he hoped would long continue to enjoy it. He was sure the course proposed by the member for Kent would not produce the result he anticipated; and as for the government, he believed the decision they had arrived at was an honest one. It was easy to have adopted a more popular method but it would not have been a conscientious one. There had been much misconception exhibited relative to the resolution, which deprecated a collision between the Imperial Parliament, in which the interests of both countries would suffer, and which the statesmen of both countries would deplore. At first the member for Two Mountains seemed to insinuate that the Governor General had been endeavouring to influence adversely in England. Thus [sic] he subsequently disclaimed, and then attributed such a course to other individuals. If parties think they can prevent such a settlement as is sought, they have a right to petition the throne to guard against statements, which in their opinion, might induce the ministers in England to believe the state of the colonies is different from what it really is.⁵⁹ It was easy to understand that parties in this country might desire to get a settlement made in England, and easy also, to understand that there might be a disposition on the part of the Imperial Government by inadvertence or otherwise to trust too much to these representations.⁶⁰ As to the allusion to the Governor General's despatch, at that time the address on the subject of the Clergy Reserves, was not a public measure; but it is evident that the action which has now been taken, is one in which His Excellency and his advisers are united; and when the Imperial Act is repealed, and the question comes before the House they would stand firm. The subject was now in the hands of the government with every prospect of success.⁶¹

MR. RIDOUT said he had listened to every member who had spoken, but to none with more attention, than Mr. Papineau and the Provincial Secretary. He had not always been able to follow them in debate, as they spoke usually in a language with which he was not familiar; he had understood that there was an antagonism in sentiment between them, but regretted that at last there seemed to be a union, as to the secularization of the Clergy Reserves. Looking upon the question as more particularly affecting that section of the Province for which he took his seat, and where it is looked upon as one of magnitude and importance, and by which the public mind in Upper Canada was much excited, and upon which its members should be distinctly understood, he therefore rose for the purpose of making a few observations upon the subject.--Few persons could be twenty years in the country, without being sensible that the subject had caused much contention, bitterness, and strife, and which at various times had occupied the attention of the Legislature; and the last time it was before the House, he⁶², and most churchmen⁶³, had hoped that a Bill would have been passed and assented to, which would have set the question at rest forever; he regretted that this had not been the case; and feared that if legislation is again to take place as to the question,

that there will be no finality with reference to it.⁶⁴ With the fear of these dissensions before him, [and]⁶⁵ taking into consideration the difficulty which had attended the question, he must confess that had he supposed the last settlement was to be again disturbed, and being fearful that further legislation took place, it would not be final, he would⁶⁶ almost say that he wished⁶⁷ no land had been appropriated as it had been. Although he made this admission, yet he was prepared to say that he looked upon the original appropriation, very differently from the manner in which it was viewed by the Member for Two Mountains; he viewed it as a just and wise one, which made him proud of his country's history; without which those who first settled in the country, would not have had the benefit of religious instruction; and he could only look upon it, as a wise provision of the Sovereign of that day, for the Colonists of this Country; and small as it was in days gone by, as causing the introduction of clergymen, into the Province, which could justly boast of a clergy possessing talent and capacity not inferior to any other Colony of the British Empire.⁶⁸ Canada possessed a Clergy second for learning to none of any colony.⁶⁹ His own views on this question, and which he was prepared to adopt, would have to be abandoned, so far as the Act of 1840 is concerned⁷⁰, yet he was still determined, as much as he could, to preserve this property for religious purposes.⁷¹ This being his view of the subject, the House would not be surprised, that he should accordingly support the Resolutions which had been introduced by⁷² his hon. friend and colleague⁷³, the learned Member from the City which he represented.⁷⁴ He would now offer a few reasons why he should refuse to vote for the resolutions of the Inspector General. The first relating to the first resolution was similar to that which had influenced him to work against the addresses in answer to the speech from the throne. He then went over some of the resolutions in detail, especially that speaking of "collision" with the British Government, and he declared that these resolutions were far more calculated than anything which had occurred in the debate on the address to destroy the credit of the country. With regard to the member for Kent, he, in justice to him, would explain his reasons for voting against him; believing that the house was obliged to that hon. member for having forced from the Ministry their real intentions. With the member for Peterboro, he believed the thing was completely dragged out of them and he now heard, with the hon. member for Two Mountains, that they would put this intention upon paper. He thought Lower Canada was interested in these resolutions, and he had no doubt that after the member for Kent had secularized the religious endowments of Upper Canada, he and his friends would set to work and begin the same game in Lower Canada.⁷⁵

MR. ROSE spoke at some length in opposition to the amendments embraced by Mr. Brown's resolution.⁷⁶

MR. D. CHRISTIE, of Wentworth, said,--Although the hon. member for Kent had characterized those who supported the course of the Government on this great question as traitors to the voluntary principle, as being sold to an infamous scheme for deceiving the people of Canada on this question, on which of all others they have the strongest feelings, he did most indignantly rebut the slander. He would yield to no man in Canada in zeal for the voluntary principle, and he did not happen to belong to a church which, according to the hon. member's own showing, is in the receipt of Government money, a church which the hon. member knows holds the Establishment principle, has in Canada ejected one of its ministers for holding the voluntary principle, he repeated he was not as he the hon. member for Kent was, a member of that church, and thus did not homologate its principles.

He was aware that the discussion of the voluntary principle was at present irrelevant, but as other hon. members had given their views, he would shortly state, that he believed the connection between church and state to be unjust in principle and foreign to the nature and design of both institutions. The alliance could not be contracted without a compromise of independence either on the part of the church or of the state. It was foreign to the nature of civil society, because the proper province of the Government was things civil, and because any money which might be given by the state to the church was money which was surrendered to the state for state purposes, and therefore was diverted from its legitimate purpose. It was foreign to nature and design of the church, because its founder declared that his "kingdom is not of this world," in other words that it was separate from, and independent of civil Government. The establishment principle involved destruction of the independence of the church. Now the rights of the church are indefeasible, they are her's to retain and exercise, not to give away. In receiving an endowment she must give a quid pro quo. The Government would not be justified in giving the public money without receiving an equivalent, and that equivalent was the surrender of the church's independence. The ministers of an established church are a sort of moral police, who must move at the back of the Government. In proof of this he referred to the established churches of England and Scotland. In both an appeal against spiritual authority may be had to the Judicial Committee of the Privy Council; the right to decide on such appeals rests with them. The hon. member for Montreal (Mr. Badgley) asked what would have been the state of Europe but for Church Establishments? That hon. gentleman had made a most unfortunate reference. Let him turn to the awful convulsion of Piedmont, Spain, Portugal and France,—the horrors of the Reign of Terror—and see the fruits of an Established Church. Let him recollect that Voltaire, Rousseau and Tom Paine came from a land of Church Establishments. We may be asked why Great Britain, with her Church Establishments, stands unmoved amid the wreck of Empires. Why, the secret is to be found in the Toleration Act, and in the repeal of the Test and Corporation Acts.—Dissent is the safety valve, it has saved Great Britain from being convulsed from one end to the other, and it has saved her people from the fearful vortex of infidelity. The hon. member had suggested that he (Mr. C.) might be a prominent person in a struggle against Great Britain, in the event of her refusing to accede to our wishes. He was no fighting man; but if pushed to it, he was ready to say, perish property, perish friends, perish life, but principle and truth, never. The hon. gentleman referred to the state of Europe; yes, the recollection of the atrocities perpetrated by the Church of England in his (Mr. C.'s) native country, in the reign of Charles the Second, when she attempted to lord it over Scotchmen, and when the hills and vallies [sic] were crimsoned with the blood of some of the best men in Europe, who for eight and twenty years successfully resisted the iron yoke of ecclesiastical despotism, and with a vivid recollection of those barbarities, he (Mr. C.) would be false to the cause of Canada, were he not to resist even the semblance of an attempt to introduce such a system here.—In giving his cordial support to the resolutions before the House, he did so deeply impressed with the importance of the question to which they related, and of the urgent necessity which existed for its immediate and satisfactory settlement. In speaking of the desirableness of a settlement of this question, he said advisedly that the present was no settlement, it was a miserable compromise between Lord Sydenham and the famous "bread and butter" Parliament of Sir F. Head, carried by one of those "accidental majorities," to which our eminently distinguished Colonial Secretary refers. Yes, that was an accidental majority, that majority was never obtained

before, had never been obtained since, and would never be obtained again. The people of Upper Canada never acquiesced in the present disposition of the Reserves; the Parliament which made that disposition was a Parliament elected under the most corrupt influences, and one which in no sense represented public opinion in Upper Canada. Even Lord Sydenham most clearly admits this in his despatch to Lord John Russell, dated Jany. 1840:—

"I will not conceal, however, from your lordship, that even to this Bill, thus proceeding on the principle of so general a distribution among different religious persuasions, nearly insurmountable objections [*sic*] have been and are entertained in this Province. For many years past, the representatives of the people have uniformly refused to assent to an appropriation of this fund to religious purposes at all, and have steadily maintained its distribution to educational or general state purposes; and it is only with the strong desire which is entertained of coming now to a settlement, which has led many who formerly advocated these opinions now to withdraw their opposition and assent to this measure. But I can safely say that assent can never again be looked for. I entertain no doubt that the course taken by many members of the Assembly in their conscientious and most laudable desire to put this question at rest, will occasion great opposition to their return at the next election; and I am satisfied that in a future Assembly, if the matter were again unfortunately brought before it, it would not be possible to obtain any such terms for the Established Church or for religious Instruction."

Now he put it to hon. gentlemen opposite who contended that the present was a final settlement, whether such action on the part of a Legislature could be considered as an indication that the people of this colony would be satisfied. Why did Lord Sydenham state that those who voted for that Bill would meet with opposition at the hustings? He (Lord Sydenham) knew that the wishes of the people, as expressed by their Representatives, had on 14 different occasions been thwarted by the Legislative Council in the most shameful manner, and that notwithstanding such rebuffs their opinions had never wavered. The hon. member for Toronto called this unprofitable legislation, when he and his friends had by appeals, not to the popular branch but to those who represented prerogative, so often contrived to render it "unprofitable." And these gentlemen ought to recollect that they revived this agitation. (Cries of No.) Hon. gentlemen cry no—he appealed to doings in 1846, and would ask what took place then? Why, being aware that the people would not long be content, they got up a scheme for dividing the lands allotted by 3 & 4 Vic., chap. 78, among the different religious societies, in a Parliament in which they thought they could manage the matter. Let it be clearly understood, then, that they (the hon. gentlemen opposite) renewed this agitation. This is again denied: what does Lord Cathcart say in a despatch to the Right Hon. W. E. Gladstone, dated 14th April, 1846:—"In the present session of the Legislature, many petitions in favor of and adverse to such a division have been presented; the former being chiefly if not wholly received from the ministers and members of the united Church of England and Ireland, and the latter from those of other communions." In the face of these facts, let them be silent about re-agitation of a settled question. When they introduced that scheme, they were warned as to consequences, by many members on both sides of the House, but they persevered and were beaten, and he (Mr. Christie) hoped that their final discomfiture was not far distant. Then they were assailed by the cry of "vested rights"; say they, "if you disturb those endowments, no man's property will be safe." Why the people of Canada claim the right to manage their own property; those lands had always been public property; all right to them being vested in them, there was the "vested right." Every church establishment was a public

institution erected for the express purpose of giving religious instruction to Her Majesty's subjects. The whole thing was bound up in the bundle of life with an Act of Parliament, and if hon. gentlemen were content that according to their notions the church should depend upon the State for its existence, they could not be surprised when the fiery ordeal of public opinion should terminate such an ephemeral existence. He (Mr. Christie) maintained that the argument acquired additional strength in this case, where, according to the express terms of the original contract, the right to vary or repeal was distinctly reserved. Now, if those gentlemen would show that the terms of a contract are of no importance, that a conveyance which distinctly specifies that it was not absolute, be absolute, and if they could also shew that there was no difference between public and private rights, then he (Mr. Christie) would admit their argument. Now, for the benefit of those gentlemen who did not understand this question, he would quote a very clear exposition of the whole matter from two distinguished statesmen. Sir J. Macintosh says:—"Bodies (and established Churches are among the number) are instruments fabricated by the Legislature for a specific purpose, which ought to be preserved while they are beneficial, amended when they are impaired, and rejected when they become useless or injurious." Lord Henley says, "No one now maintains the inviolability of corporate rights, when a clear case of public necessity or expediency demands their sacrifice, and when the first of all duties, the most urgent of all necessities call for an alteration in the application of public property it would be preposterous to contend that the embryo rights of any number of unappointed or unborn functionaries can legitimately interpose to prevent a just or necessary measure of reform." Leaving this part of the argument, we had repeated admissions on the part of the Imperial Government that we ought to have the right to legislate on this subject. All along this had been recognized. Hon. gentlemen opposite said there was no constitutional question involved, Lord Glenelg viewed the matter very differently, even at a time when that question was very imperfectly understood; in his own instructions to Sir J. Colborne, he declared that "Parliamentary legislation on any subject of exclusively internal concern, in any British colony, possessing a representative assembly, is, as a general rule, unconstitutional, and that to withdraw from the Canadian to the Imperial Legislature the question respecting the Clergy Reserves, would be an infringement on the cardinal principle of Colonial Government, which forbids parliamentary interference, except in submission to an evident and well established necessity." This principle had been fully set forth by Earl Grey in his recent despatches on this subject, and it had never been denied by any Colonial Secretary but Sir J. Pakington. Why, he wondered if he (Sir J. Pakington) imagined that we were to be frightened by that miserable, puerile, and insolent document which had been sent in reply to our just and constitutional demands. His insolence was apparent from the fact that he puts the petitions sent from this country on an equal footing with the addresses of this House. Now he (Mr. Christie) wished to know if the Colonial minister was to be guided by the back-stairs influence, and to set at defiance the constitutional means of information. If we are to be treated in this question as we were treated in the railway matter, the sooner we know it the better. No! we fling it back in his teeth, and tell him that although we are loyal to Her Majesty, and because we are so, we expect and demand our constitutional rights. That was one of the most extraordinary despatches ever sent to any colony, and however lightly he (Sir J. Pakington) might be disposed to treat the matter, that despatch had excited the deepest indignation in this country. But after all, in a moment of impolitic eagerness to protect his beloved church, he had given up the only point on which he could have fixed anything,

that was its being a settled question; he admitted that it may be altered. Having got this length, he ought to have seen that so far as principle is concerned, he is gone. But amid all these unpleasant circumstances, we had reason to be glad that we have now got a ministry who had the nerve to grapple with the question, and they have done so in a wise and honest manner. The late ministry as a ministry never took up this matter. During the session of 1849 they wished action to be suspended, because they were conducting a correspondence with England. When the Inspector General was sent there on financial business it was currently reported that he had instructions not to touch the question. During the third session, from their action on the Price resolutions it was evident that they not were [sic] agreed. How different the course of the present ministry.--The Hon. Inspector General, the Hon. Commissioner of Crown Lands, the President of the Council, all told their constituents that they were prepared to act firmly on the question of the Reserves. This pledge had been redeemed by the admirable resolutions which they have brought before this House, resolutions from which they could not recede. We have also proof that during the recess they took steps with the Home Government, to bring this matter to a successful issue. And the correspondence between the Inspector General and Sir John Pakington reflects the highest credit on him (Mr. Hincks); it breathed the noblest spirit, and contained sentiments in which every true-hearted Canadian must cordially join. He (Mr. Christie) never read with greater pleasure any state document; the rebukes which he administers to the Colonial Secretary and to the advocates of the present settlement, must cut them to the quick, if they had any respect for themselves and for the constitution of the country. He was glad that the Inspector General had refuted the mischievous reference to endowments in Lower Canada. Those endowments were given principally by private individuals, or by the French Crown, and ratified by treaty. Hon. members from Lower Canada are not to be deterred from doing their duty in this matter by any false alarm. But, although the majority in this House were agreed as to the desirableness of a different settlement from the present, there were hon. members who thought that the course pursued by the Government was not the proper course. Those hon. gentlemen thought that a bill predicated on Imperial legislation is the proper course. Now this appeared to him (Mr. Christie) to be the plan of all others least calculated to attain this end. If all the communications from the home government breathe the spirit of attachment to Church Establishments was it reasonable to expect that a measure for the secularization of the Reserves would meet with any favor in the Imperial Parliament? Could we expect them to give a direct negative to the principle of Church Establishments, to veto by their own act, their principles? Besides, when the opinion of the judges was taken on the question, they declared that the Legislature of Canada had no power to pass the bill of 1840, and Lord John Russell was compelled to begin de novo. Although the Imperial Parliament virtually set aside that opinion by giving a portion of the proceeds to Roman Catholics, yet the Parliament of Canada by assenting to the Price resolutions, recognized the right of the Imperial Parliament only to legislate on the matter. And it was astonishing beyond measure that the hon. member for Kent, who contributed so largely to this result, who defended that course till within a month of the close of the last session of Parliament, should now in the coolest manner possible, turn his back on the whole scheme and denounce it as a piece of political intrigue. The hon. member for Waterloo, although he (Mr. Christie) thought he took a wrong view of the matter, had always been consistent. The hon. member for Kent had not even the candor to say that he had changed his mind. In his third letter to the Hon. Inspector General, dated 2nd Oct. 1851, he thus speaks of the speech from the throne at the opening of the

last session of Parliament: "The speech from the throne at the opening of the session, was calculated to excite strong suspicion as to your earnestness on the subject. In the coldest manner, it merely alluded to the address of the House, expressed no feeling, indicated no further movement on the subject." Now, he wished to compare a few sayings of this very consistent politician: what did he say on the 27th May, 1851, in an article headed the "Speech and the Reserves":--

"Our 'Constitution-mongering' contemporary of the North American altogether mistakes our 'grief' that something 'more definite' on the Clergy Reserve question was not forthcoming. He seems to think that we expect the Ministry to introduce a Bill, without waiting the action of the Imperial Parliament, as the Clear Grits proposed last Session, without consulting the imperial authorities at all. He is mistaken; our grief arose from the lack of later information as to the movements of the Home Government on the subject, and the consequent fear that a final settlement of the vexatious question was unlikely to be obtained this Session. We can understand very well how an avowed Annexationist like the "American" advocates a measure so likely to lead to a collision with the Home Government: but as the friends of British connection, with no revolutionary aspirations, we cannot consent to trample on an Imperial Act--however strong might be the temptation to do so.

"It is very clear that in any view of the case a great gain has been made by Mr. Price's Resolutions. The subject has been placed before the Imperial authorities--we have demanded the control of the Reserve as a local matter--the justice of the demand has been admitted--and all we ask freely promised. Even had the argument of the Examiner been correct, that we have the legal right to legislate on the question, the assent of the Home Government must have been had to that legislation; and it would therefore have been wise, even on the Examiner's view, to secure that consent in the way resorted to by Mr. Price."

Then in the same letter he says to the Inspector General: "Had you been true to your trust, the course suggested by Mr. Boulton was the one you would have taken. You had stated the desires of the people of Canada to the Home Government, they had assented to them and promised action. Mr. Boulton's Bill would have but hastened it. Had you framed such a bill and demanded of your colleagues to make it a ministerial measure--you might have lost office, but it was the only upright course open to you." Now mark that Mr. Boulton's resolution for a Bill had been brought in and negatived on the 23rd June. On the 22nd July, a month of the close of last session, he says:--

"There are Anti-State Churchmen who desired that a Bill should have been passed this Session (predicated on Imperial Legislation,) to settle the whole question of the Reserves, and who take offence because it was not done. On the contrary, we rejoice that this was not done--for assuredly the Reserves would have been divided among all the sects; a much worse settlement, in our opinion, than the present. There are but two Churches corrupted now--by this system there would be many. Does any one doubt that this would have been the result? Let him look at the speeches and votes of the majority of the Assembly."

Now he (Mr. Christie) admitted that on some occasions it was improper to refer so much to an individual member, but when an hon. member desires to be considered a paragon of excellence, when he proclaims to the country that he alone was a true patriot, the defender of the people's rights, it was right that the people should be able to gauge his claim for that distinction. One word in conclusion to the hon. member for Montmorenci. That hon. gentleman charged us with advocating doctrines which lead to socialism, but says that we are not socialists. We are guilty then of an error of judgment; in such a dilemma he (Mr. Christie) would

recommend his hon. friends from Norfolk and Huron, who were but juvenile politicians, mere novices in the art of governing, to defer the superior wisdom, intelligence and experience of the hon. member for Montmorenci and relinquish so bad a course as that which they followed. If overturning be socialism, then he (Mr. Christie) was almost tempted to call the hon. member from Montmorenci a socialist, for before and since the meeting of Parliament he had laboured to upset the Reform party, but happily his socialist views had not prevailed. If however the hon. member meant that a steady advocacy of civil and religious liberty, and an uncompromising hostility to every species of despotism, be socialism, then he (Mr. Christie) pleaded guilty to the charge.⁷⁷

MR. GAMBLE said the hon. member for Wentworth spoke of Lord Pakington's letter as a violation of our constitutional rights; yet it was admitted that we had no right to legislate on the subject. Which constitutional right then was evaded? He knew of none not contained in the constitutional acts, and these granted the Reserves. He then after alluded to the inconsistency, not only of Dr. Rolph; but also of Mr. Christie, who he said, had formerly been one of the most strenuous advocates of legislation by bill. He complained of the renewal of agitation on the subject; asserted the finality of the settlement of 1840; went over the history of the early grant of the Reserves, contending that under the original law, the disposal of the property might be modified; but could never be so changed as to alienate the land from its destination. He then gave it as his opinion that the Imperial government would never consent to such alienation; ridiculed the idea of the supporters of the voluntary system being so concerned for the welfare of the Church of England, as to wish to abolish her endowments only for her good; and denied the alleged facts on which were founded the statement that the church of England was diminishing in numbers on account of these State aids, while others not so assisted were increasing. He then affirmed that the statement made by Mr. Langton of the miserable condition of the Church of England in his neighbourhood was a fair example of other neighbourhoods. He did not approve of the opinion of Mr. Brown that the settlement of the question should not be obtained from the colonial authorities till their ultimate provisions were provided for. He thought on the contrary, the majority might be properly allowed to decide, if the Imperial Government would resign its trust to them. He then stated that he had read the history of the country to ascertain exactly how the question with regard to the Catholic property stood, and warned gentlemen from Lower Canada not to think that property was secure. The property of the Sulpicians was a gift of King Louis, and he could not understand how that was more sacred than the gift of King George. He concluded by referring to the blame which Mr. Brown had thrown on the Rev. Mr. Dunn, for interfering with his election, and stated that the Bishop of the hon. gentleman's own church had come down to his (Mr. G's) constituency and held a Clergy Reserves meeting on the eve of the election; but with singular modesty did not want to give all the money to common schools, as he would keep a little for academical instruction, having Knox's college all the time in his eye. For his own part, however, he had no desire to retain this property for the sake of the church of England's advancement; which he believed would continue to prosper as it did in the States, without endowment; for her foundations were on the eternal rock, and her pinnacles reached to Heaven.⁷⁸

MR. BOULTON here created great amusement, by producing a newspaper and reading an announcement that a telegraphic despatch had been received, stating that Mr. Brown had joined the Church of Rome, with the comment that this showed how far bigotry and fanaticism might lead men. Mr. Boulton then contended that the

ministry ought to give their opinion as to what should be done with the Reserves, hereafter, and that this was the view which was taken by the gentlemen rather in the present ministry or connected with it a short time ago. In support of this view of the case, he read speeches of Mr. Chauveau and Chabot, at Toronto, when following Mr. Lafontaine, they declared against the secularization of the Reserves, and followed them by the speech of Dr. Taché in the Legislative Council, in which he spoke of the Clear Grits as "pharisaical brawlers" for their conduct on this matter. Thence he went to the speech of a high-minded gentleman, an English lawyer, (Col. Prince,) who he said was most anxious to maintain his consistency, and against whom, therefore, great pressure must no doubt have been brought. This speech also was decidedly opposed to any change whatever as to the Reserves, closing the reading by an article from the North American, the organ of the Clear Grits upon the Retrenchment Committee. This article said that no retrenchment could be expected from Messrs. Hincks and Morin; and another from the same paper employed the epithets of "base liar" and others of a similar kind to Mr. Price, for thinking the rights of incumbents should be maintained, and lauded Mr. Cameron for refusing to sanction the maintenance of those rights. Mr. Hincks, he proceeded to say, was not only a talented man, but one of the most talented men that was ever seen, comparable to no other person than the Great Wizard of the North, who from one bottle could produce whisky, curacao, port wine, brandy, or anything else that might be asked for.⁷⁹ So with the Inspector General, the Cabinet was his bottle, and it might be supposed that he, Mr. Boulton, was a spectator calling for the different things. The Inspector General could find whatever was required. Yes, an advocate for any and every principle, however opposed to each other. Here he went over some thirty or forty different measures on which the ministry were at variance calling for them thus: I want an advocate for sectarian schools--well here he is--an opponent of such schools--and lo there he comes, for elective officers, Governor, and retrenchment and the advocate and opponent of each would forthwith appear from the bottle, or as a pharisaical [*sic*] brawler requires, out came the Commissioner of Crown Lands and President of the Council. If the denouncer of these brawlers was called for the Receiver General, Dr. Taché, at once presents himself--after continuing to the great amusement of the House with a long list of measures each of which had its advocate and opponent in this great political bottle, he said this same magician had also a wand and with this wand he touched newspapers: to-day the North American and Examiner would be abusing Mr. Hincks and his government when the magician waived his hand and lo! a brother of the Examiner finds himself Post Master of Toronto with £500 a-year, and the Examiner changes tune, the North American is similarly affected, an order is made to transfer the advertisements of the Globe to this paper and abuse ends. The government is sound--the Province is saved--the only difference between the two magicians was that the Wizard of the Government had been found out: he had shewn the rottenness of his Cabinet, and the conflicting discordant contents of the bottle must be dispersed. He enlarged at some length upon the position of the ministry: their utter want of adherence to any one principle of government: gave the Clear Grits his views as to the course they should adopt and compel the ministry to carry out their pledges, and censured the former for not having made known at an early day their views as a Cabinet in this most important question and alleging it to be his belief that Messrs. Caron and Taché had too much principle to give in their adhesion to such a nefarious [*sic*] scheme. He [also] enlarged at some length upon the position of the ministry, and the duties of the reform party; and censured the former for not having made known their views on the Clergy Reserve question before they were forced out of them last night.⁸⁰

MR. MACKENZIE contended in favour of a bill. He believed that to be the best and proper course. The Provincial Secretary told them that it would be improper and disrespectful to pass a bill, but that gentleman he found had not formerly been so delicate. Here the hon. member read from the journals of 1837 a motion of Mr. Morin to introduce a bill to make the Legislative Council elective. Now that was in opposition to an Imperial act. He (Mr. McK.) would prefer a bill if the members from Upper and Lower Canada would unite to pass it—but failing that he would take the next best thing, and vote for the resolutions of the Government. He would vote against the resolutions of the hon. member for Kent, because he knew they could not be carried, although he approved of their principle. He remarked upon the Clergy Reserves and contended that there were no vested rights in them. If he believed there were, he would be the last man to disturb them. He used this argument for the members for Lower Canada, and stated that he would ever be guided by the principles of justice in dealing with questions which affected religious property. Referring to the hon. member for Kent, he reproached him with his attacks against the ministry, and argued that they were not calculated to advance the interests of the reform party (hear, hear, from the ministerial benches). He admitted that the hon. member for Kent possessed great influence, and he doubtless used it as he believed was right, but he (Mr. M.) believed he was in error, and had often told him so. He came to the principle of the alliance of the state to religion, and this he condemned, enlarging upon it at some length, and contending that it was not beneficial to Christianity. He ridiculed the position assumed by Sir J. S. Pakington respecting an accidental majority, and showed that many great measures had been passed by such majorities. He set forth the increased importance of education, [and] also thought the reserves could be applied to no better purpose than promoting it among the people. And he thought they could hit upon some plan of general education without going into religious differences. He expressed friendly feeling towards the Catholics of Lower Canada, and could appeal to gentlemen in the House to say that during his thirty years in public life he had never said or done anything against them. He asked them not to go against the wishes of the people of Upper Canada, for fear of an aggression upon their religious property, which was never thought of. Coming again to the opposition of the member for Kent, he said it appeared to him as strange to hear that hon. member lecture the ministry for inconsistency, as it did to hear the Commissioner of Crown Lands [who had] lectured him the other evening. He remarked upon the ecclesiastical property of Lower Canada, and declared that he would be the last to interfere with it; and that Sir John Pakington had shown great ignorance of its nature in the remarks in his despatch. All that the imperial government had now to do with this question was to give us the right to legislate as had been already promised by a former government. The hon. member for Kent had told them he would not trust the house if the reserves came back—perhaps he might not easily find a house to suit him. The hon. member wished to pass a bill⁸¹.

MR. BROWN said yes⁸².

MR. MACKENZIE [continued] but he (Mr. M.) did not see that was any good reason why we should not ask to bring the reserves back, and ask the power to legislate. What would the gentleman have confidence in, when he had no confidence in the ministry, no confidence in the house--no confidence in anybody? He proceeded to read some extracts from the "Globe," to shew that the member for Kent had formerly opposed a bill—⁸³

MR. BROWN--That was Mr. Cameron's bill.⁸⁴

MR. MACKENZIE was reading other extracts, when--⁸⁵

MR. BROWN rose and said they were garbled, and most unfair; and he objected to being held individually responsible for everything that appeared in the "Globe."⁸⁶

Loud cries of hear, hear, and continued clapping of hands on the ministerial benches.⁸⁷

MR. BROWN could answer for all that appeared in that paper, if he had time to explain.⁸⁸

MR. MACKENZIE read further extracts from the "Globe," in which the Roman Catholics were very severely condemned, and their ceremonies called "mummery." He contended that such language showed an intolerant spirit, which was inconsistent with liberal views, or views sufficiently large to carry on the government of the country.⁸⁹

Some further conversation [ensued].⁹⁰

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Mr. Dixon moved, seconded by Mr. Crawford, and the Question being put, That the Debate be further adjourned until To-morrow and be the first Order of the day after the referring of Petitions;

The House divided:

Yeas, 35.

Nays, 33.

So it was resolved in the Affirmative.

Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Crawford, The House adjourned.⁹¹

FOOTNOTES: 16 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 17 September 1852, MONTREAL GAZETTE, 20 September 1852, QUEBEC GAZETTE, 20 September 1852, PILOT, 20, 21 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH COLONIST, 24 September 1852, HAMILTON GAZETTE, 27 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, NORTH AMERICAN SEMI-WEEKLY, 1, 5 October 1852, and NORTH AMERICAN, 7 October 1852. The debate was also reported by: GLOBE, 25 September 1852; JOURNAL DE QUEBEC, 21 September 1852; and LE PAYS, 27 September 1852. The debate was noted by OTTAWA CITIZEN, 25 September 1852. A commentary appeared in L'AVENIR, 22 September 1852.
2. QUEBEC GAZETTE, 20 September 1852.
3. GLOBE, 25 September 1852.
4. IBID.
5. IBID.
6. IBID.
7. IBID.
8. QUEBEC GAZETTE, 20 September 1852.
9. GLOBE, 25 September 1852.
10. QUEBEC GAZETTE, 25 September 1852.
11. GLOBE, 25 September 1852.
12. QUEBEC GAZETTE, 25 September 1852.
13. GLOBE, 25 September 1852.
14. JOURNAL DE QUEBEC, 21 September 1852.
15. GLOBE, 25 September 1852.
16. QUEBEC GAZETTE, 20 September 1852.
17. GLOBE, 25 September 1852.
18. QUEBEC GAZETTE, 20 September 1852.
19. GLOBE, 25 September 1852.
20. QUEBEC GAZETTE, 20 September 1852.
21. GLOBE, 25 September 1852.
22. QUEBEC GAZETTE, 20 September 1852.
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24. QUEBEC GAZETTE, 20 September 1852.
25. GLOBE, 25 September 1852.
26. QUEBEC GAZETTE, 20 September 1852.
27. GLOBE, 25 September 1852.
28. JOURNAL DE QUEBEC, 21 September 1852.
29. GLOBE, 25 September 1852.
30. QUEBEC GAZETTE, 20 September 1852.
31. GLOBE, 25 September 1852.
32. IBID.
33. IBID.
34. QUEBEC GAZETTE, 20 September 1852.
35. GLOBE, 25 September 1852.
36. QUEBEC GAZETTE, 20 September 1852.
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62. IBID.
63. QUEBEC GAZETTE, 20 September 1852.
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70. GLOBE, 25 September 1852.
71. QUEBEC GAZETTE, 20 September 1852.
72. GLOBE, 25 September 1852.
73. QUEBEC GAZETTE, 20 September 1852.
74. GLOBE, 25 September 1852.
75. QUEBEC GAZETTE, 20 September 1852.
76. IBID.
77. IBID.
78. IBID.
79. NORTH AMERICAN SEMI-WEEKLY, 5 October 1852, noted that Mr. Boulton "created a good deal of amusement by his comparison."
80. BRITISH COLONIST, 24 September 1852.
81. IBID.
82. IBID.
83. IBID.
84. IBID.
85. IBID.
86. IBID.
87. IBID.
88. IBID.
89. IBID.
90. IBID.
91. OTTAWA CITIZEN, 25 September 1852, noted that the "debate continued ... until 11 o'clock."

FRIDAY, 17 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Statement of the Affairs of the Gore Bank, to 28th August, 1852.

For the said Statement, see Appendix (R.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Lyon,--The Petition of William Ferguson and others, of the Counties of Prescott and Russell.

By the Honorable Mr. Cameron,--The Petition of the Municipality of the Township of North Dorchester; the Petition of David Christie, Esquire, and others, of the United Townships of Lanark and Darling; the Petition of J. Mills and others, of a certain part of the Gore of Camden; the Petition of Joseph Deacon and others, of the Counties of Lanark and Renfrew; and the Petition of James McArdell and others, of the City of Kingston.

By Mr. Seymour,--The Petition of John Stevenson and others, of the Counties of Lenox and Addington; and the Petition of John Reynolds and others, of the County of Hastings.

By Mr. McDougall,--The Petition of Amable Dion and others, of the Township of Acton.

By Mr. Brown,--The Petition of the Reverend Duncan Morrison, Minister, and others, the Congregation of Beckwith in connection with the Church of Scotland; the Petition of the Reverend William S. Ball and others, the Congregations of Woodstock in connection with the Presbyterian Church of Canada; the Petition of John Bell, Junior, and others, of Balinahynch; and the Petition of Jacob Baltzer and others, of the County of Essex.

By Mr. Cartier,--The Petition of J. G. Bowes, Esquire, and others, of the City of Toronto, and others.

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By Mr. Ridout,--The Petition of the Orphan's Home and Female Aid Society of Toronto.

By Mr. Shaw,--The Petition of the Municipality of the Township of Montague.

By Mr. White,--The Petition of James Gage and others, of the City of Hamilton.

By Mr. Johnson,--The Petition of the Municipal Council of the United Counties of Prescott and Russell; and the Petition of Archibald Petrie and others, of the Township of Cumberland, County of Russell.

By Mr. Chapais,--The Petition of the Reverend H. Routier and others, School Commissioners of the Municipality of St. Louis de Kamouraska; and the Petition of the Reverend E. Quertier and others, of St. Paschal, St. Denis, and other Parishes.

Pursuant to the Order of the day, the following Petitions were read:--

Of Thomas Shillinton and others, of the County of Carleton; praying aid for the construction of a Bridge across the River Rideau, in the said County.

Of William Delo and others, Stevedores, of the City of Quebec; praying for the passing of the Bill to regulate the business of Stevedores in the Port of Quebec.

Of William Wilson, of the City of Quebec, Esquire; praying to be put into possession of a certain Lot of Land purchased by him in Cul-de-Sac Street, in the said City, and of which he has been deprived by the Officers of the Trinity House of Quebec.

Of François Normand and others, Carpenters, Builders, and Contractors of

Wharves and Bridges; praying compensation for extra work performed by them as Contractors under Government, for the construction of certain Bridges.

Of William Wilson, District Treasurer of the late Municipal District of St. John's; praying payment of a certain amount due him for his services as District Treasurer aforesaid, and in consideration of damage sustained by him in the performance thereof.

Of the Corporation of the Pilots for the Harbour of Quebec; praying for certain amendments to their Act of Incorporation.

Of Jacob Cook and others, of the Village of Cooksville, Township of Toronto; of the Reverend J. Wheeler and others, of the Township of Albion; and of Alexander Munro and others, of the Township of Zorra; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of the Honorable C. Widmer, M.D., F.R.C.S.E., and others, duly licensed Practitioners in Medicine in Upper Canada; praying for the passing of an Act to incorporate the Medical Profession in Upper Canada.

Of F. M. F. Ossaye, of LaTortue, Agent of the Agricultural Society of Lower Canada; praying aid to enable him to publish a work relating to Agriculture, entitled, "Les Veillées Canadiennes."

Of the Reverend J. Doucet and others, of the Parish of St. Jean Baptiste, Seigniorship of L'Isle Verte; praying that a Survey be made of the Harbour of L'Isle Verte, and that if found practicable a Wharf be constructed therein.

Of William Cothingham and others, of the Township of Emily, United Counties of Peterborough and Victoria; praying that a Survey be made by Government of a Route for a Railroad from the City of Kingston, through the interior of the country, *via* Peterborough, to the City of Toronto.

Of John McWhinnie and others, of the Town and vicinity of Woodstock; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of W. H. Coxwell, Esquire, of the City of Toronto; praying for an increase of his salary as Chief Clerk and Taxing Officer in the office of the Clerk of the Crown and Pleas for Upper Canada.

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On motion of Mr. Smith of Frontenac, seconded by the Honorable Mr. Cameron, Ordered, That the Serjeant-at-Arms attending this House, have leave to absent himself for twelve days from Monday next, and that he do appoint a Deputy (with the approbation of Mr. Speaker) to perform his duties during his said absence.

Resolved, That the Petition of M. G. Mountain and others, of the City of Quebec, be referred to a Select Committee, composed of Mr. Stuart, Mr. Christie of Gaspé, Mr. Dubord, the Honorable Mr. Chabot, Mr. Solicitor General Chauveau, and the Honorable Mr. Badgley, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That the Petition of Sylvester Carroll and others, of the Township of Grantham, County of Lincoln, be referred to the Select Committee to which was referred the Bill to establish Courts of Conciliation or Arbitration in Upper Canada.

Ordered, That the Petition of Herbert Simmonds and others, of the Town of London and surrounding country; the Petition of Thomas Rowland and others, of the Town of Stratford; the Petition of Neil Clark and others, of the Township

of Chinguacousy; the Petition of John Kastner and others, male and female German Inhabitants of the Township of Ellice, County of Perth; the Petition of Elizabeth Segmuller and others, female Inhabitants of the Town of Stratford, County of Perth; and the Petition of J. Cuppage and others, of the Township of Orillia, County of Simcoe, be referred to the Select Committee to which was referred the Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton, on the subject of Temperance.

The Order of the day being read, for resuming the adjourned Debate upon the Amendment which was, on Wednesday last, proposed to be made to the Question, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;" and which Amendment was, "That all the words after 'That' to the end of the Question be left out, in order to add the words 'this House deeply regrets that Government in bringing the subject of the Clergy Reserves again before Parliament, has refrained from the expression of any opinion, as a Government, upon their future appropriation--the real issue of the question;'"

And the Question on the Amendment being again proposed:--The House resumed the said adjourned Debate.¹

The debate had commenced before the Reporter entered².

MR. CLAPHAM was speaking: he remarked that he was in favour of the principle of the ministerial resolutions. It was a mistake to suppose that because the townships of Lower Canada, equally influenced by the Reserves, did not carry their views to such extremes as in Upper Canada, that this was a question in which they took no interest. A celebrated statesman had recently said, at a great civic dinner, that all government was a system of compromise, without which no government could be carried on. He therefore did not judge harshly, as some honorable members did, in reference to the apparent discordance of elements in the cabinet of this country. He thought that in carrying out this idea a compromise, without sacrifice of principle, might be come to by contending parties in this country. Well would it have been for England and this colony had this sentiment of the great leader of the Protectionists been entertained and acted on before being forced to give way to the clamour of the ultra free traders, who without stipulating for reciprocity, opened her ports to the world. The plan he (Mr. C.) proposed, might have the effect of stopping the mouth of Mr. Cobden (and others of his school)--who in his speech, at the great meeting at Bradford in December, 1849, made the support of a Church Establishment in this colony by the people of England, a powerful lever to alienate their sympathies and to listen to the doctrine that the colonies are a great burthen to the States and had better be relinquished. New and scattered settlements in the back woods of Canada, could ill, if at all, afford to pay for the services of clergymen and education, and yet it was for the good of the State and society, that religious instruction should be imparted. The Clergy Reserves were first designed for the religious instruction of destitute settlements, and it was because the funds had been diverted from the proper object in Upper Canada that all the uproar and rancour had ensued. The overbearing Prelate and other high dignitaries at Toronto, by a grasping cupidity, had disgusted all classes of the people, roused

their indignation to call for their entire secularization--and if they were eventually lost, the onus ought to be placed on the right shoulders. The compromise he wished was, that the Reserves might still be applied to religious education. Superior schools might with great advantage to society be established throughout the country parts, such as he himself had witnessed 18 years ago in Megantic, where the Missionary of the Church of England, the Rev. Mr. Alexander, so eminently qualified for the task, did not think it derogatory to teach the youth of the neighbourhood, and thereby qualified many to take respectable situations in [the] after life. The Provincial Parliament might be safely trusted with the disposal of this fund. Clergymen of all denominations, desirous of imparting religious education, might be granted a sum for specific duties--which grant when added to that received from their congregations, would contribute materially to their comfort and general usefulness. The Parliament of Lower Canada, almost entirely composed of French Canadian origin, had been liberal in aid of elementary education. The county he (Mr. C.) represented, although not one quarter of the present population, had then 18 schools--well conducted and of great benefit. For many years past, they have not had more than half a dozen, and the county was retrograding for want of those nurseries of civilization. To those honourable members from Upper Canada, not conversant with the French Canadian people, it was but justice to say, and perhaps the avowal could not proceed from any member with more propriety than himself--one of the very few of British origin now in the House, who had then a seat in it, that he had always found them, at that time, when the legislative power was entirely in their hands, friends to civil and religious liberty--willing to grant an equality of rights, evinced by their giving the same powers to all denominations for the celebration of marriage, baptism and burial. (Hear, hear.) He intended to vote for the resolutions³, but he objected to the language contained in the third, and the fourth⁴, which he thought superfluous, and beneath the dignity of the House; and the 7th, from the term "collision," which he thought uncalled for--the British Government having already evinced every desire to grant the most unlimited powers for objects of local interest.⁵

MR. DIXON would support the first of the resolutions of the hon. member for Kent, and would affirm the principle that the Government as a Government ought to avow their opinions upon the question of the Clergy Reserves, and state what they desired to do with these endowments. The hon. member explained at some length the meaning of the Government that it was incumbent on the ministry to avow their principles. The settlement of them was looked upon as a final one, and that was made under responsible Government. He read from a despatch of Lord John Russell, in which that settlement was treated as a final one, and in which the principle was affirmed that the responsibility of the Government could not be separated from the ministry under responsible Government. On that despatch the union act was based, and it was the foundation of our present system of Government. The hon. member remarked on the despatch but was not distinctly audible in consequence of noise under the reporter's box. Coming to the third resolution he contended that it was unstatesmanlike and ridiculous. It held out a threat of rebellion, which was however puny; and might remind them of the frog in the fable which tried to imitate the ox. The illustration given by the hon. member for Toronto yesterday evening of the heterogeneous combination of the ministry was exact. It was formed without any principle other than a desire to hold office. He read from a newspaper a letter of Malcolm Cameron, dated March 25, 1851, and addressed to Mr. McDonald of Perth. This letter strongly expressed Mr. Cameron's views in favour of a bill, and his condemnation of

proceeding by resolution; and also attacking very severely the Government of that day for proceeding by resolution, and even going to the extent of imputing corrupt motives, and a desire not to have the question settled but to keep it open for the purpose of agitation. (The reading of this letter created loud laughter.) Did the hon. member mean to say, that that letter did not express his views now? He (Mr. D.) believed that the present settlement must be maintained, if peace was to be so; rather than that settlement must be disturbed for the attainment of this end. He combatted the impression that had been so industriously circulated respecting the alleged tyranny of the Church of England, and, contended that [there] ... was ... no church more tolerant, or whose institutions were better adapted to civil liberty. He sat down ... stating that he would vote for the first resolution of the hon. member for Kent.⁶

MR. STUART, after alluding to the different resolutions before the House, stated that he doubted not [that] the government regretted the intemperate language which they had made use of in their resolutions. They would have obtained a much larger vote in that house if different language had been used. He affirmed the principle [that] the Canadian Parliament ought to have the right to deal with this question. After referring to the appropriation of the reserves, he came to the Provincial act of 1839, and read the last clause, which he stated was a direct conveyance to the Imperial Government of power to legislate upon the appropriation of these endowments. The settlement of the Imperial Act of 1840 was regarded as a final one by the Imperial Parliament, and a large portion of the people of this country; and it was evident from an expression in a despatch of the Governor General, that he also regarded that settlement as final, he having stated that he regretted the question had been opened again. He (Mr. S.) did not think that it became this house in such circumstances, to threaten the Imperial Government with collision, should they refuse to repeal their act. He condemned the principle of threatening, and stated that he had seen quite enough of evil resulting from it. Whatever might be the intentions of the government with respect to threatening, (and they had stated, that they had no hostile intentions,) the language of the resolutions remained a threat. Except for that language he would have supported the resolution. He did not believe that the time to express any opinion upon Church and State, the final disposition of the Clergy Reserves not having yet arrived.⁷

MR. COM. CR. LANDS ROLPH at the beginning and at other times in the course of his speech was not distinctly audible in the reporters gallery.⁸ He had hoped that the hon. member for Kent would have been sufficiently inspired by the question under debate⁹, the measure introduced by the Government¹⁰, to consider it with sobriety and truth¹¹, [and] to ... [take] a course consistent with constitutional principles¹². But under the evil spirit which had haunted him thus far through the Session, he had distilled from the Globe and kindred journals all the venom he could find; and having seemingly in some degree poisoned the mind of his honorable and patriotic friend the member for Two Mountains (Mr. Papineau,) he (the hon. member for Kent) had hoped with such an ally to annihilate¹³ the existing Government of Canada.¹⁴ Collecting from newspaper scraps all the political scandal and party vituperation which the last ten years had produced, he had, without any honest discrimination of truth from falsehood, hurled the heterogeneous mass against the Government with a random and desperate chance of effecting a ministerial discomfiture. Lost to the love of liberty, civil and religious, which had ever characterized his countrymen, he had preferred the subject of personal invective, to the high and constitutional question, which is the only one for debate. But as he (Dr. Rolph) had not risen to join issue with the unworthy attacks upon the members of the party and the Government they

sustain, he should take his leave of the hon. member for the present: and while discussing the repeal of the 3 & 4 Vic., under which their constitutional power had been wrongfully abridged, he might occasionally pay his respects to him again.¹⁵ He should not discuss the religious nature of the question, except in its bearing on the religious condition of the country.¹⁶ We once had the power, the recognized power, of legislating upon the Clergy Reserves, upon the funds arising from them and upon their bearing on the religion and churches of the country; and over any legislation connected with the subject. This power was intimately connected with the peace, welfare, and good government of the country; for the attainment of which great ends our constitution had been bestowed upon us. This power had, however, been taken from us by the 3 & 4 Vic., ch. 78. And we, therefore, by the resolutions before the House, seek for its repeal.-- This course, among others open to our choice, seems, under existing circumstances, the most judicious, and promises to be the most successful. It must be borne in mind that we have not only to contend with difficulties in our domestic arena, but with distant and very perplexing obstructions in Great Britain; where, indeed, none should exist, but where, latterly they have, it must be admitted, very much increased. And our efforts and appeal will be enfeebled or strengthened, defeated or consummated according to the particular course we may pursue at this particular juncture and under the present state of the question. There is one point upon which we all agree; that the right to legislate upon the subject constitutionally, belongs to us; and cannot be rightfully withheld from us. It is possible, most assuredly, for us to take several different courses.¹⁷ As the matter stood Canada had three courses--first they might legislate by bill¹⁸. We may determine first what we desire, and then ask¹⁹ the British Parliament to sanction it²⁰; second²¹ we may ask the British Parliament to think and do for us in the matter, instead of thinking and doing for ourselves²² [either] by an address stating what they desired to do with the reserves while asking the power to legislate²³, [or by submitting] to the decision already made, with reference to the disposal of the Reserves²⁴; and third²⁵ we may claim²⁶ by an address²⁷ at once, as freemen, the right of free domestic legislation. If we present our views for ratification, we necessarily provoke at this crucial juncture, a discussion, a hostile discussion, upon our domestic religious differences, embracing the whole question of²⁸ civil and religious liberty connected with²⁹ ecclesiastical establishments and endowments. It forces upon the British Parliament discussion and adjudication upon affairs strictly local and domestic. If we ask them to think and do for us³⁰, it would be an explicit surrender of³¹ our constitutional power, and our discretion into the bargain--a power and a discretion which the people have delegated to us³², the Provincial Legislature³³, and which we have no right to delegate to others.³⁴ There remained, therefore, only the straightforward and proper course, which was to request to be permitted to legislate exclusively in relation to our own immediate concerns.³⁵ If we ask for our own appropriate power upon high constitutional grounds, we ask for what they know they ought to give, and what we are entitled to receive.--³⁶ This last course had been adopted by the government and he believed it was the wisest, as it would be the most likely to be successful.³⁷ If the power should be unsatisfactorily exercised by us, the British Parliament are not to blame. They have done their duty by an act of constitutional justice, in placing a domestic matter at our constitutional disposal. But we ought not, as a matter of choice, to ask them to carry out a policy they may disapprove or which might needlessly expose them to parliamentary or other embarrassments,--embarrassments too, which must operate directly against ourselves.--They might, under their

prepossessions, say, do your wicked work for yourselves. It is one thing to give a man his rightful discretionary powers, for the application of which you are not responsible; it is another thing to volunteer or consent to carry out for him just what questionable matters he may choose to require. Now we do not ask them to do or confirm our work, good, bad, or indifferent; we only say, untie our hands, and we will do it for ourselves. Again--If we ask for the repeal of the 3 & 4 Vic. cap. 78, we ask from Earl Derby what Earl Grey has already promised, instead of asking what may be refused³⁸, that we desired to secularize the reserves³⁹, because it has not been before asked and promised. We have made a proposition. It has been substantially assented to. The right course now is to call for the embodiment of that assent in the promised measure. We shall, in that case, be entitled to the support of Earl Grey in the House of Lords, and of his late colleagues who may be in the House of Commons. To retain and deserve their support may insure a victory; to lose it, by the mistaken abandonment of a recognized country, may⁴⁰ justly be punished with failure.⁴¹ We ask, therefore, for this act of justice, because Earl Grey has promised it, emphatically promised it. He says:--"You will further inform the House, that while Her Majesty's servants regret that a subject of so much difficulty as that of the Clergy Reserves should, after an interval of some years, have again been brought under discussion, it has appeared to them on mature deliberation, that the desire expressed by the assembly in this address ought to be acceded to, and they will accordingly be prepared to recommend to parliament that an act should be passed giving the provincial legislature full authority to make such alterations as they may think fit in the existing arrangements with regard to the Clergy Reserves, provided that existing interests are respected. In coming to this conclusion Her Majesty's government have been mainly influenced by the consideration that great as would, in their judgment, be the advantages which would result from leaving undisturbed the existing arrangement by which a certain portion of the public lands of Canada are made available for the purpose of creating a fund for the religious instruction of the inhabitants of the Province, still, the question whether that arrangement is to be maintained or altered, is one so exclusively affecting the people of Canada that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs, to regulate all matters concerning the domestic interests of the Province. It has therefore appeared to Her Majesty's government that it would be impossible for them consistently with the principles on which they have always held that the government of Canada ought to be conducted, to advise Her Majesty to refuse to comply with the prayer of the address of the House of Assembly." Such are the assurances of Earl Grey, and the high constitutional principles on which they are given. We ask for the repeal⁴² of the 3 & 4 Vict., chap. 78, for these reasons; and also, because the subject matter of that Act is purely one for local legislation; and again, because a refusal would be inconsistent with the principles on which the government of this Province is to be conducted. But there is a further reason--after the disallowance of the several bills on this subject sent home, the subject matter of these bills should have been remitted to the colony again for legislation.⁴³ He believed that it would be wrong for Canada to do anything which would admit the principles that England had anything to interfere in a Canadian domestic question; (hear, hear)⁴⁴. In 1840, under the administration of P. Thompson, afterwards Lord Sydenham⁴⁵, the last of these colonial bills was passed⁴⁶ by the Canadian Parliament intended for the settlement of the Clergy Reserve question, and transmitted to England.⁴⁷ When it was laid before the Imperial Parliament Lord J. Russell pronounced it unconstitutional; it was disallowed⁴⁸.--The British parliament might have assumed to pass a law to

give validity to this bill of 1840. It would have confirmed the seeming wishes of the people, however justly abortive and distasteful it might have proved in the end. The bill, though void, was a guide to the British parliament; and those who furnished the guide, all things being in good faith, could not complain of its being followed. Under a sincere desire to realize the expressed desires of the country, we should naturally expect this opportunity earnestly sought to embody that expression in a British act, if British action in the case was deemed justifiable at all. It would have stamped sincerity perhaps, on a profusion of promises through a course of years, always to fulfil the pleasure of the Colonists. This course, however, was avoided. The invalid bill, instead of being converted, by the transforming influence of the British Senate, into a valid law, was formally disallowed. The moment this bill, seemingly consummated in this country by mysterious agencies, was disallowed, we were restored to the position we occupied before the bill was passed. Had things so remained, we might now legislate as freely as ever; and it might be fairly presumed, till the contrary appeared, that the disallowance was intended to again transfer the matter to the constitutional action of the colonial parliament.⁴⁹ The people of Canada had reason to expect that such a course would be pursued.⁵⁰ The justness of this expectation is verified by numerous despatches⁵¹ sent out by the Colonial Office⁵², extracts from some of which, he would read to the House.⁵³ He read from several despatches contained in the recent work of Mr. Lindsay on the Clergy Reserves published at the North American Office, which he took occasion to say was ably written.⁵⁴ Lord Glenelg, in 1836, addresses himself thus to Sir F. H. Head:--

"Your predecessor and the Council agree in the opinion, that it is vain to expect the concurrence of the two branches of the local legislature in any adjustment of this question, and they therefore invoke the interposition of Parliament; which interposition the Assembly, on the other hand, deprecate with equal earnestness.

"The chief practical question, then, which at present demands consideration, is whether His Majesty should be advised to recommend to Parliament the assumption to itself of the office of deciding on the future appropriation of these lands."

From this course His Lordship decidedly dissents, and remarks:--

"In referring the subject to the future Canadian Legislature, the authors of the constitutional Act must be supposed to have contemplated the crisis at which we have now arrived--the era of warm and protracted debate, which in a free government may be said to be a necessary precursor to the settlement of any great principle of national policy. We must not have recourse to an extreme remedy, merely to avoid the embarrassment which is the present though temporary result of our own deliberate legislation.

"I think, therefore, that to withdraw from the Canadian to the Imperial Legislature the question respecting the Clergy Reserves, would be an infringement of that cardinal principle of colonial government which forbids Parliamentary interferences, except in submission to an evident and well established necessity.

"Without expressing any further opinion at present on the general objects of the Bill of last session, I think the effect of that Bill would, as it appears, have been to constitute the Assembly not merely the arbiters respecting the disposal of the funds to be raised by the sale of these lands, but the active and independent agents in effecting those sales, and thus to invest them with the appropriate functions of the executive government."

Again His Lordship remarks:--

"Until every prospect of adjusting this dispute within the Province itself shall have been distinctly exhausted, the time for the interposition of

Parliament will not have arrived, unless, indeed, both Houses shall concur in soliciting that interposition: in which event there would of course be an end to the constitutional objections already noticed."

And again:--

"I think myself bound to abstain from advising His Majesty to refer this question immediately to Parliament, because the authors of the Constitutional Act have declared this to be one of those subjects, in regard to which the initiative is expressly reserved and recognized as falling within the peculiar province and the special cognizance of the local legislature."

The country under these circumstances had grounds for entertaining the highest assurances of their constitutional safety; and when the bill of 1840 was disallowed, the reference of the subject matter to our own Legislature, seemed the only course consistent with official pledges, too numerous to be forgotten, and too sacred (one hoped) to be violated. But in the face of all these official protestations, the bill of 1840, having been disallowed, the further legislation was retained in England, and the 3rd & 4th Vic. cap. 78 was substituted--the product of a transatlantic assumption of an irresponsible authority.⁵⁵ The Imperial Parliament passed a high-handed measure which did not even bear the appearance of being a consummation of the public opinion of this country. They set the public opinion of the country aside, suppressed its legislative act in toto, and passed the 3rd and 4th Vic. in violation of the constitution.⁵⁶ We ask for its repeal, therefore, because it unconstitutionally superseded the reference of the question back to the people of Canada. Again we ask for the repeal on this further ground; that it has by its provisions outraged public opinion, and even outraged the Canadian bill of 1840. It rivalled it in that policy of pensioning churches and their ministers⁵⁷, a course which was deprecated by a large majority of the people of Upper Canada as destructive to the purity of the Christian religion,⁵⁸ against which we had entered so many solemn protests; and these protests had been respected and sanctioned by official correspondence.--The following extract from a despatch of Lord Sydenham⁵⁹, a despatch which was never intended for the public eye, but which was published by order of the House of Commons, and thus came to daylight⁶⁰, discloses the existence of mysterious agencies in the passage of our bill of 1840, and candidly tells the colonial minister how outrageously it violated public sentiment:

"I will not conceal, however, from your lordship that even to this Bill, thus proceeding on the principle of so general distribution among different religious persuasions, nearly insuperable objections have been and are entertained in this Province. For many years past the Representatives of the people have uniformly refused to assent to an appropriation of this Fund for religious purposes at all, and have steadily maintained its distribution to educational or State purposes; and it is only the strong desire which is entertained of coming now to a settlement which has led many, who formerly advocated these opinions with success, now to withdraw their opposition, and to assent to this measure. But I can safely say, that so far as this Province is concerned, their assent can never again be looked for. I entertain no doubt that the course taken by many members of the Assembly in their conscientious and most laudable desire to put this question at rest, will occasion great opposition to their return at the next election; and I am satisfied that, in a future Assembly, if the matter were unfortunately again brought before it, it would not be possible to obtain any such terms for the Established Church or for religious instruction."

--Despatch to Lord John Russell, Jan. 22, 1840.

Lord Glenelg had, under previous administration, recognized public opinion in Canada as the basis of any settlement. His Lordship, in 1837, declared--

"That he could not venture to prescribe to the Legislatures of the Canadian Provinces the principles on which they should endeavour to make provision for the religious wants of their fellow colonists." And when he did afterwards (Dec. 1837) venture the statement that "the contribution of the State towards the support of the different christian communities should be regulated by the extent of the voluntary efforts which the members of each should make for the promotion of the same general end;" and suggested that the Reserves should be converted into a fund subject to this mode of distribution, he directed the Under Secretary, only three days after, to state that "Lord Glenelg would distinctly disclaim, on the part of His Majesty's Government, the wish or the intention to insist on any such condition as an indispensable preliminary to an adjustment of the question;" adding, "that such an interference on the part of Government with the Provincial Legislature, would, as his Lordship apprehends, tend to create a not unreasonable suspicion of the sincerity with which the Legislatures have been invited to the exercise of the power reserved to them on this subject by the Constitutional Act of 1791."

And again:--

"With respect," he says, "to the charge of showing undue preference to the teachers of religion belonging to the established Church of this country, it is so utterly at variance with the whole course of policy which it has been the object of my despatches to yourself (Sir J. Colborne) to prescribe, that I cannot pause to repeal it in any formal manner. * * * * *

* His Majesty has studiously abstained from endowing literary or other corporations, until he should obtain the advice of the Representatives of the Canadian people for his guidance."

Indeed Lord Glenelg goes the whole length of complying with the public wish for the secularization of the Reserves. He says:--

"It is sufficient to repeat that His Majesty's Government have advised the abandonment of the Reserves, for the simple reason, that after an experience of forty years they have been found not to answer the expectations entertained at the time the system was established, but have entailed a heavy burden upon the province without producing any corresponding advantage."

In another despatch of the same date, Lord Goderich unfolding, in detail, his scheme for the abrogation of the Reserves, gives instructions for the repeal by the Upper Canada Legislature of those clauses of the Constitutional Act which relate to the allotment and appropriation of lands for the support of a Protestant Clergy, and observes--

"That to remove all doubts as to the effect of the repeal, it should be expressly provided that the reserved lands should immediately vest in his Majesty, and be held by him, his heirs, and successors, in the same manner in every respect as of the provisions to be repealed had never been enacted."⁶¹

Notwithstanding the facts detailed in this communication, notwithstanding the information given by the then Governor of Canada that the bill of 1840 was adverse to public opinion in the strongest degree, and that it only passed through some mysterious agency which never can be used to procure its passage again⁶², and, assuredly with a distinct recollection of the policy that had been avowed, and the asseverations of sincerity that had been made⁶³, we find the Imperial Parliament setting public opinion at defiance, and in despite of it, and their own pledges, passing the Act 3rd and 4th Vic., which was subversive even of Imperial faith.⁶⁴ The British Government carried through Parliament a measure by which the churches of England and Scotland, comprising at the time about one-third of the population--were assigned about three-fourths of the Clergy

Reserves, the remaining fraction being offered to the dissenting churches, or heretical churches, or the schismatic churches, or by whatever other name you may choose to call them, as unworthy of an equitable division of the spoil. We, therefore, ask for the repeal of this law, as doing violence to the acknowledged public opinion of the country, and subversive of the good faith pledged by numerous despatches.⁶⁵ But there is another ground on which we may ask for the repeal of that most obnoxious Act; and it is this: that Act, though called Imperial, is itself unconstitutional⁶⁶ as much so as our bill of 1840, which was on that very ground disallowed--and on that ground we hope they will now disallow their own.⁶⁷ (Hear, hear.) Yes! he had no doubt that gentlemen opposite would cry "hear," if this declaration rested merely on his own opinion; but he could give them the authority of a noble Lord in the Colonial Office for it, and to that opinion they would certainly bow with all deference.⁶⁸ Let us glance at the official opinion of Lord Glenelg, Lord John Russel [sic] and the crown officers.

Lord John Russell in a despatch from which he (Mr. Rolph) quoted, after adverting to a difficulty from delay in transmitting the bill of 1840, says:--

"But had this difficulty not arisen, there were other motives which would have effectually prevented the acceptance of this measure by Her Majesty. Parliament delegated to the local legislature the right of appropriating the clergy reserves, and the effect of the Bill is to re-transfer this delay from the local legislature to Parliament, with a particular restriction. I am advised by the law officers of the Crown that this is an unconstitutional proceeding. It is certainly unusual and inconvenient. Her Majesty cannot assume that Parliament will accept this delegated office."⁶⁹

MR. H. SMITH (Frontenac).--Lord J. Russell introduced the bill.⁷⁰

MR. COM. CR. LANDS ROLPH.--Yes! after pronouncing it unconstitutional. More shame for him!⁷¹ He (Dr. R.) was sorry to say, and to his disgrace, after the language which he had used in the despatch which he had just read, Lord John Russell⁷² stated in a despatch to the Head of the Government of this country, that the Imperial Parliament had delegated to the Provincial Parliament an authority which cannot be constitutionally resumed by the British Parliament without our consent; and⁷³ Lord Glenelg was of the same opinion, saying, that "Parliamentary Legislation on any subject of exclusively internal concern, in any British colony possessing a representative assembly, is as a general rule, unconstitutional. It is a right of which the exercise is reserved for extreme cases, in which necessity at once creates and justifies the exception."

Thus his Lordship not only states the unconstitutionality, but the reason of it. The language of these noble Lords goes the length of declaring that it is unconstitutional for the British Parliament to usurp a Legislative power which they have delegated to a colonial Parliament. The surrender of the power is an estoppel to a reclaim of it.⁷⁴ Would any one suppose that the Parliament of this Province, once in possession of the authority, would dare to assign it over to any power on earth? The Representatives of the people of this country are sent to Parliament expressly empowered to carry out that authority, not to surrender it. This language might be very shocking to Conservative ears; but it is strictly in accordance with the law of England, and the law of Canada.⁷⁵ He contended that these Reserve lands could not legally be thus appropriated.⁷⁶ If he gave utterance to it unsupported by any authority, he would, doubtless, be cried down, as he has been cried down before; but he was fully supported by the opinion of Lord J. Russell, and other officers of the Crown. The question is whether the Imperial Parliament have the right to take the initiative in legislating upon Colonial matters, and his Lordship has laid down the sound, constitutional

doctrine, that when Britain, through her Parliament, gives to a Colony such a constitution as we possess, she has delegated to it a power which cannot be resumed, without the consent of that Colony.⁷⁷ The lands belonged to the country under the constitutional charter.⁷⁸ It is true, that as Lord Glenelg has stated, cases may occur which will render the interference of Imperial authority necessary⁷⁹. If used in an extreme case, sufficiently extreme, as Lord Glenelg observes, "at once to create and justify the exception," it would be an act under the law of necessity superseding for the time, the law of the land.⁸⁰ But when such cases do occur, they arise not under the law of England, or the law of Canada, but under that law of necessity which is paramount when the majesty of constitutional law is overthrown. It is that law of necessity which justified the bombardment and destruction of Copenhagen,--an act which every one admits to be a direct violation of the law of nations.⁸¹ It would be analogous to the ... seizure of the fleet--when passing events any where dethrone the majesty of the law, the law of nations interposes.--This, was the glimsy [*sic*] pretext for Napoleon's late visit to Rome. The case before us comprehends the gift of a constitution, which the giver cannot recal [*sic*] without consent or a paramount necessity. It is analogous to the recognition of the independence of the United States; a recognition which could not be constitutionally cancelled, though assailable by a war, dictated by the honor of the crown, and necessities of the Empire.⁸² But no such necessity has ever existed in this country; and, therefore, the Act of the Imperial Parliament has been passed in defiance of constitutional law, and has had the effect of excising a portion of the constitution granted to this Province. The member for Frontenac cried out "hear," a few moments since, on learning this, to him, monstrous doctrine; but he would tell that hon. member that there is a very great difference between power and right.⁸³ I do not question the POWER of the British Parliament, but the RIGHT to exercise it in the case before us. POWER and RIGHT are terms which are not synonymous. POWER expresses ability, and alike applies to the good, the bad, or the indifferent. RIGHT expresses ability, but circumscribed by moral bounds. Herod had the POWER to destroy all the male children in his kingdom, but he had not the RIGHT to do it. Roman parents had an absolute POWER over the lives of their children, but not the RIGHT to murder them. It might, and no doubt would, be declared competent for the British parliament to enact that we Canadians should, in the legislature, and out of it too, only speak French, as the most musical language in the world; or that we should all speak, and keep all public records, in English, us belonging to the Anglo-Saxon race; or that, in order to avoid jealousies and promote classical learning, we should all speak Latin; or that we should on devotional occasions lie on our backs, be only lawfully married by a minister of the Church of England, and in the Legislative Council always walk on all-fours, anything in a colonial act to the contrary notwithstanding. Assuredly we should think all this very unconstitutional! It would be a violation of those principles of liberty, which it is the object and duty of all governments to maintain, but if we have a right to speak and walk erect as men,⁸⁴ we have a right to walk erect as christians, with the harmless rights of christians among our own churches, and with our own government of them. It is a strange doctrine, that any earthly act can lawfully prevail against reason and justice, against mankind and against Heaven.--Canute the Great enacted on the spot, hitherto shall the tide flow and no further; but the law of gravity superseded it.--And no truthless legislation can be regarded as paramount to truth, though the sword may enforce it--Lord North⁸⁵ once said: "It's a strange right which the moment it is exercised becomes a wrong."--But Shakespeare⁸⁶ better expresses the truth in nearly these words, "the exercise of a legal right may be a moral wrong."--Now the moral wrong may so

preponderate, as to utterly invalidate the exercise of the legal right. Hence the Christian rule,--"judge ye whether you will rather obey God or man." We comprise about two millions of people--of Christians--and with the Bible in our hands as our eternal charter, we demand the rights and liberties it has vouchsafed to us, from a Legislature more Supreme than the mistress of the world.--We ask that there may be no interference with our religious affairs, with our domestic churches, or with our ministers, or with whatever is paid from us, for us, into the Treasury of the Most High--we ask that the 3rd and 4th Victoria may be repealed. The 3rd & 4th Vict., cap. 78, is unconstitutional, because it substantially provides for the raising and appropriation of money without our consent. It is admitted that our money cannot be raised from us without our consent, and that when raised from us in carrying out ... [a] general commercial policy, it must be left at our disposal for our special appropriation. Import or export duties might be imposed to make our trade compatible with the general interests of the empire, of which we form a part; but the amount collected would go, not to the Imperial Treasury, not to a fund distributable by the imperial authorities, but to the general Provincial Revenues, for disposal by the Provincial authorities for any or every purpose. And yet the rents, issues, and profits, of our leased reserves and a portion of every bushel of wheat gathered from them, from a fund which the British Government and Parliament may be said to have raised from us, the unequal apportionment of which they have dictated and desire to continue in spite of us.--Suppose the Derby administration having established its position, should return to protection--should require us as a protection to British agriculturists, to impose a duty at Quebec upon every bushel of wheat or barrel of flour exported to Great Britain; we should say if the people of the British Isles choose to eat dear bread, dearer by the amount of duty collected at Quebec, we may be sorry, but cannot help it. But assume further, that the amount so collected at Quebec, was directed by the Derby administration, to be at the disposal of the Lords of the Treasury, perhaps three-fourths to the Germans and Africans, and one-fourth to other settlers. We should be very urgent and very eloquent against it. Admitting the tax and its collection, we should claim the right of applying the money thus raised from us and of varying the appropriation as we please. And this is not more repulsive than three-fourths of the Clergy Reserves to the Churches of England and Scotland and one-fourth to the other Churches, and this fund too raised from us without our consent--appropriated without our consent and maintained against our consent. In like manner, suppose Great Britain should raise an annual revenue from the soil of Canada--from the sale of gypsum as a manure; or from the iron ore so abundantly diffused in our country; or from the copper, enriching the regions of Lake Superior; or from the pigments found in Lower Canada;--we might submit to the imposts to meet some imaginable imperial interests connected with these mineral productions, but we should show an utter repugnance to any assumption by the Derby administration, to appropriate the money raised from us, either to imperial interests or imperial favoritism. If you raise the money let us appropriate it in the way we judge right and equitable from time to time. We cannot have forgotten the time when the whole local and territorial revenue raised from us was consumed, no one knew how; and in all attempts to arrive at its real amount or to direct its useful appropriation, we were held in unconstitutional defiance. Now, in the case before us, these Reserves form a part of our national wealth and resources. They have been improved in value by the industry of our people and the progressive improvement of the country. From these Reserves a revenue, an ecclesiastical revenue, is raised, and we say the revenue so raised, just as much as if raised by a duty, or a tax, or a mere

exaction, ought to be at the disposal of the people from whence it is so raised. The element from which the money is raised does not alter the principle. It might be from turnpike gates or from the Post Office, instead of our Reserves. It is, therefore, not consistent with our just constitutional expectations, or with the dear bought maxims of British policy and of Colonial rights, that the money from our Reserves, any more than from any other source, should be withheld from the power of the local Parliament, or that we should be forbidden to initiate any measure or to "alter, vary, or repeal" any existing appropriation in the way most consonant to public opinion. And what is the amount thus exacted from us for this forced ecclesiastical benevolence? He (Dr. R.) did not know. If we were to estimate the past, present and future, it would amount to millions, varying with the prospective value of the landed estate. Let us take an estimate furnished in an excellent history of the Reserves published by Mr. Lindsay: "The funded capital, and the revenue arising therefrom, are every year rapidly increasing. When all the lands are sold, the capital fund would not be less than eight millions of dollars; yielding an annual revenue at six per cent, of \$480,000." These amounts are enough to endanger, yes, corrupt every church in the country. All this is over and above the voluntary "benevolence" of the people to their churches--and the matter, therefore, becomes serious and important, not only in point of principle, but in point of amount and practical evil. He (Mr. Rolph), pleased with the remarks from the honble. member for the South Riding of York, had not been inattentive to his argument drawn from the assertion that the Reserves were not our property, and if not our property, the fund now raised could not be said to be raised upon an objectionable principle. Now waiving the general law that every people derive in a new country their wealth from its natural resources, he (Mr. R.) reminded the honble. member of the terms of the constitutional act, by which we were empowered to "alter, vary or repeal" the clauses relating to the Clergy Reserves.--He (Mr. R.) had already read to the hon. member the invitation of Lord Glenelg to exercise that power to "abolish the Reserves," and to "vest" them in the Crown. By the constitutional act and by all British statesmen this property has been recognised as belonging to the country and disposable by its Parliament.⁸⁷ They had always been held to be the property of the people of this country, under one of the best constitutions ever granted to a people--the 31st Geo. III, if it were properly carried out, and, therefore, he did not much care for the Conservative cry of "hear, hear" when he said, with Lord Glenelg, that our rights cannot be taken from us without our consent; and when he urged the adoption of a request to a generous and enlightened nation for their restoration. He would go further than he had yet gone, and would say boldly, that raising money out of the natural resources of this country, without the consent of the people, is a violation of these fundamental principles of British liberty, which are found⁸⁸ in the imperishable memorial of our rights, in the petition and bill of rights, and our Magna Charta. By Magna Charta, every Briton is "protected in the free enjoyment of his life, his liberty, and his property, unless forfeited by his peers or the law of the land." By the bill of rights, "the levying of money for or to the use of the Crown, by pretence of prerogative, without grant of Parliament, for longer time or in other manner than the same is or shall be granted, is illegal." By the petition of rights, "no man can be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent by act of Parliament." But our benevolence to the churches is bestowed for us from our Reserves without the consent of Parliament, and against the voice of the people lifted up in honest unanimity and constitutional decision.⁸⁹ Is it for Sir J. Pakington to say that the Churches in the

Country shall be so and so endowed? And that the ministers of religion shall have so much, or so little, during good behaviour, or as long as Downing St. may wish?⁹⁰ We are, however, coolly told that the duty of our Parliament has been assumed by the British Parliament, and our future legislation merged in it. This was not the consent of the people or their Parliament, enforced by the charters of British liberty. These charters, written in the book of nature and in the Word of God, every Briton carries with him everywhere in the world; but the statutes at large he leaves behind.--"Life, liberty and property"--these are really the constituents of what Blackstone calls "natural liberty." Life, which the Creator has bestowed, and perhaps alone can properly take away. Liberty, which comprehends the free use of the active powers of body and mind. Property, which those active powers acquire as an essential of human happiness. As these gifts come from the same source, they are alike sacred against an arbitrary dispossession; just as are the light and air of Heaven. An abridgment of these natural rights, is an abridgment of natural liberty; and if any abridgment of these rights can be made without the consent of the owner, right and liberty cease, and despotism begins. In the case before us, the consent of Canadians, in which they are represented in the Colonial Parliament, is superseded by the will of the British Parliament, in which they are not represented, or are misrepresented.--The case is only strengthened by the fact that the British Parliament had solemnly delegated the power to the Colonial Parliament. The 3 & 4 Vic. is therefore unconstitutional, as it respects the Canadian people, the foundations of natural liberty, and the faith of constitutional powers. Blackstone says:--

"If an uninhabited country be discovered and planted by English subjects, all English laws then in being, which are the birthright of every subject, are immediately there in force. But this must be understood with very many and very great restrictions. Such colonists carry with them only so much of the English law as is applicable to their own situation, and the condition of an infant colony; such, for instance, as the general rules of inheritance and of protection from personal injuries. The artificial requirements and distinctions incident to the property of a great and commercial people, the laws of police and revenue [sic] (such especially as are enforced by penalties,) the mode of maintenance for the established clergy, the jurisdiction of spiritual courts, and a multitude of other provisions, are neither necessary nor convenient for them, and therefore are not in force."

Acting upon these broad and primitive views, the Puritans, upon landing at Plymouth, first offered up the incense of praise and thanksgiving for their safe arrival in the new world, and then in solemn convention declared the laws that should govern them. We may glean something from Grecian times. The Corcyreans, originally a colony from Corinth, offended their metropolitan power by some unusual conduct in their public sacrifices; and this ecclesiastical displeasure, mixed up with other things, led to a war between them. Is our religion in like manner to be metropolized? Are our sacrifices of praise and thanksgiving to be made amenable to a distant civil authority? Are Canadian christians to be subsidized, through their reserves, to sustain an ecclesiastical policy they disapprove, but which is imposed upon them. Again, the Corcyrean deputies who were sent to seek the alliance of the Athenians against Corinth, stated in answer to the objection that they were a colony of Corinth, that "a colony ought to respect the mother country as long as the latter deals justly and kindly by it; but if the colony be injured and wrongly used by the mother country, then the tie is broken, and they become alienated from each other, because, said the Corcyreans, colonists are not sent out as subjects, but as

free men, to have equal rights with those who remain at home." This shows the kind of relation, as understood by the Greeks, between the metropolis and its colonies. The colonies were, in fact, sovereign states, attached to the mother country by ties of sympathy and common descent, so long as those feelings were fostered by mutual good will, but no further. The Athenians, it is true, in the height of their power, exacted money from their own colonies as well as from the colonies of other people, and punished severely those who swerved from their alliance, such as Naxos; but this was not in consequence of any original dominion as supposed to belong to the mother country over the colony. While, therefore, we freely acknowledge on the one hand that the British parliaments have the power to enact their pleasure, we declare, on the other hand, that all earthly power has its constitutional limits, and its moral boundaries, and we therefore, as a people with uplifted hands, give utterance to our imprecations against any interference with our religion; against the violation of the ancient British charters, the birthright of us all, by taking property of the public and of individuals, without the consent of their parliament, and making it their coercive gift or benevolence to any favored churches.⁹¹ No one would submit to such a system, nor is there any necessity to submit to it; for an application in an enlightened and generous nation will be sufficient to effect the concession of her rights when the question is fully and fairly set before them. Nor could he doubt that the spirit of liberty survives sufficiently in the British Parliament and the British Nation to restore at once those rights which have been taken from us. He said, therefore, that we have a right to ask for the repeal of the 3rd and 4th Victoria; because⁹² Earl Grey has officially pledged it. We ask for it because the only colonial bills which were presented to the crown for its assent were disallowed. We ask for it because it was not left to that Canadian parliament in which, according to the noble secretaries of the Colonial Department, the initiation of such a measure could alone be constitutionally taken; we ask it because the British Act was at variance, and officially known to be at variance with the well understood, and often expressed wishes of the people; we ask its repeal because it was passed in direct contradiction to the official declarations and solemn assurances of several colonial secretaries; we ask it because the act was unconstitutional, and so declared by the avowed principles of Lord Glenelg, Lord John Russell, and the crown officers; we ask it because no law can be justified or tolerated which is illegitimate in its origin, and unsound in its constitution, and indefensible in its antecedents. But it is not enough to urge for its repeal on these grounds. The momentous question arises irresistably in the mind, ought we to remain with our constitution mutilated and embarrassed? ought we to leave a transatlantic power to legislate upon subjects, which are to us, of paramount importance? are we to allow them to take the initiative upon any future occasion of alleged expediency, and deal out with an unceremonious hand a new ecclesiastical system or state church policy? Can Great Britain advisedly, or as Lord Glenelg would say, constitutionally be left in the possession and exercise of such a power? These are points upon which he (Mr. R.) would offer a few passing observations. The hon. member for Kent takes the lead in advocating a disregard of our constitutional position, and in urging us to⁹³ pass a bill to repeal the Imperial Act, and go on ...[our] knees to the British Parliament, and ask if they will conform to what we ask; well, he was asked by the Attorney General what he would propose to do if⁹⁴ the British Parliament refused to pass such a law, for its adoption and confirmation⁹⁵ as they have already sent three or four bills back? The question was put in the most pointed manner, and every body must have noticed that when the member for Kent got up to reply he knew not

what to say⁹⁶. To this question he betrayed his inevitable embarrassment, and being pressed for his ultimatum, it was obvious to the House how the hon. member hesitated and even stammered out⁹⁷ that it was not likely to be sent back; and, when told that it had been done over and over again, he then [gave]⁹⁸ his final and heroic resolution, to go and agitate England, Ireland and Scotland, and enlist the dissenters especially, to coerce the British Parliament to pass a law to make his bill and his religious views the law.⁹⁹ But he (Dr. R.) was determined that the member for Kent should not lead the member for Two Mountains with him on this tour of political vagrancy. Aye! if it were necessary he would lynch the member for Two Mountains to prevent such a catastrophe.¹⁰⁰ The political heroism of the hon. member excited at the time a mirth, which would, perhaps, have scarcely been excusable under less humorous circumstances. Suppose the gallant member should succeed in carrying through both houses a bill, that he should proceed with it in gallant style, armed with the largest saddlebags containing ready made advertisements from the office of the Globe, and all mounted upon a suitable Rosinante for a political pilgrimage through the British Isles. Suppose the gallant member, who has volunteered this course and his services, should alight as a spiritual quixotte [*sic*] in Ireland, open his saddlebags and commence his agitation--and, Sir, he is away as fast or faster than he (Mr. Rolph) had placed him there--at his very first meeting, convened by his well distributed advertisements, he would have now no hearers, but plenty of observers, to hint the prudence of his not obtruding himself from Canada upon the principles and foundation of the established church of Ireland; and the pious catholics in their simplicity [*sic*] would ask, why "has this generous Quixote come from Canada to agitate us out of the payment of Roman Catholic tythes to Protestant churches;"¹⁰¹ ... "we cannot help ourselves, and do you come to us to assist you to obtain civil and religious liberty!"¹⁰² And by this time the Irish orangemen would be at his heels, with such seasonable admonitions, as to hurry him across¹⁰³--

MR. J. A. MACDONALD, the member for Kingston, said "the channel."¹⁰⁴

MR. COM. CR. LANDS ROLPH [continued:] Yes the channel--and the hon. member is in England! The police keep a suspicious eye upon all his eccentric movements; the high church party and Cardinal Wiseman are all alive at the visit of the great Canadian agitator, and plant thorns throughout his patriotic path¹⁰⁵. Well then, would he go to the Derby party in England to assist him to break down the power of the Episcopalian Church in this Country? Would he go to the Dissenters to obtain that assistance which it would be unreasonable to expect from the High Church party?¹⁰⁶ And taking his promised refuge in the dissenters, they would tell him plainly that "only enjoying toleration themselves, they are not in a position to interfere between the British and Canadian Parliament, which Canadian Parliament has its own powers, its own redress--"¹⁰⁷ Do you expect any assistance from us under such circumstances?¹⁰⁸ Go, put your shoulders to the wheel." Passing by Scotland on his way to Canada he would return with the sober and simple truth, that we would get the power first and legislate afterwards. To agitate the people of Great Britain and Ireland to enforce in their Parliament the passing of a bill with religious provisions upon which discord rather than concord must prevail, is, indeed, Quixotic. But all England, Ireland and Scotland will respond to our appeal for the restoration of our rightful constitutional power; instead of being disunited by conflicting religious views, they will be united in the recognition of the justness of our appeal, and adjudge us our rights, in the language of Earl Grey,--language worthy of a British nobleman, a constitutional statesman, and a patriotic minister,--language which he, (Mr. Rolph) had already read to the House, and would not from economy of time read again,

worthy as it was of being often read and carefully treasured up.--What ground have we to suppose that such a system of agitation, or any kind of agitation, would bring the British Parliament, or British nation, to harmonise their ecclesiastical views with ours? Without disrespect to Great Britain we may appeal to the history of the past, to hear testimony to the danger of leaving distant and unrepresented interests to any others than the parties interested. If we throw our religious legislation into the British House of Commons and House of Lords, can we, as reasonable beings, expect them, so to divest themselves of religious prepossessions, as to do better or more liberally for us than for themselves? The whole tendency of legislation in England from the days of "good Queen Bess," has been towards pains and penalties, towards fine, imprisonment, and even transportation for non-conformity. And although of late, the corporation and test acts have been modified, yet the existing contest about rights and interests, carried on between the established and dissenting churches and their respective adherents (putting Cardinal Wiseman out of the question) are enough to negative the proposition to attain our religious rights rather by agitation among religious dissentients abroad, than by self reliance in our own institutions. The history of our Rectories, their origin, the means used for their erection, and their maintenance for years upon an imaginary foundation, and the existing contest for their abolition, convey admonitions full of interest and concern. Is not this alone an abundant warning to avoid foreign and maintain domestic legislation upon religious affairs? The member for Kent had better stay at home.--But even in our own times we see upon a fearful scale, the power of a Parliament directed in the very way of which we complain, and productive of evils which our posterity may have to feel. He (Mr. Rolph) alluded to Ireland. The Irish Parliament is extinct; and the religious rights of Ireland are guarded at Westminster. The Irish Clergy Reserves, (he meant the tithes) are, as in the case with our Reserves, unequally distributed. A portion of these Irish Reserves, bearing the proportion of the Catholics to the Protestants, is paid by the Catholics to the Protestants. The very earth there seems blighted by being made to bear the unholy tribute to ecclesiastical favouritism and church oppression. Amidst the conflict of parties, the change of circumstances and the shifting of imperial ministers, what right have we to presume that, in irresponsible hands, our ecclesiastical legislation is safer than the Irish? There should be no legislation direct or indirect upon our Clergy Reserves, or through them upon our churches, upon our ministers, or upon our religion, or upon its purity, than what begins with our own people and is ended and consummated by the powers of our own constitution. The very spirit of accommodation, which the British Government has displayed in religious matters, gives us little to hope from any continuous policy, which could be forever unexceptionable. Take a lesson from the politico ecclesiastical expediency in the protection, countenance and aid afforded governmentally in India to the Idol JUGGERNAUT. Juggernaut! who occupies with his priests 60 acres of consecrated ground! ground putrid with the remains of pilgrims and of devotees crushed beneath his satanic wheels! To all this and to other idolatry, British aid, British tax-gatherers and British military music are made tributary. To the honor of some British General whom now he (Mr. Rolph) forgot, the British bands of music were relieved from these performances in pagan temples and at idolatrous rites. But such is the versatility of opinion and the fluctuation of power, that a man less scrupulous than his predecessor; a man who had been educated in the tactics of colonial government and had ministered freely against the civil and religious rights of Upper Canada, countermanded the righteous ordinance of his predecessor, and again made a band of christian musicians subservient to the idolatrous performances of heathen pageants.

Legislation upon our Reserves and our churches, and their ministers, is better in our own than in irresponsible hands. Imperial Religious Legislation, then, for England, for Ireland, for Scotland, or for the Empire, has failed for any good, while it has been productive of evil at home and abroad. It so far did good abroad, that the dissensions and animosities generated by artificial distinction and sectarian favoritism, drove the Puritans from their homes to America, whither they carried an influence which is not only acknowledged and displayed in the present generation, but is evidently destined to transmit its salutary results to future times.--On the other hand, through the same channel of importation, we have had too much reason to know that intolerance with all its warring elements, has troubled us with sectarian jealousy, with strife for ecclesiastical supremacy, and with organisations detrimental to the peace and sometimes destructive to the lives of our citizens. Such are the poisonous fruits of legislation on religious affairs; such the disorders which multiply and extend from it far and wide; somewhat like those noxious weeds with winged seeds, which are wafted by every wind wheresoever it blows. It is wise, therefore, to avoid distant legislation on our affairs, when the past conveys a warning that such legislation is safer in our own hands.--Every nation in Europe has tried its daring hand in the same way. Every nation has striven to erect a tower of Babel; has striven to mould itself into a theocracy, to rule both the affairs of this world and of the next. But they have all, through a series of centuries signally failed. Instructed by this failure, it behoves us to draw our religious affairs within the precincts of our own country, and to avoid those evils which have grown to such fearful magnitude in Europe, as to menace its overthrow and desolation, and to drive, with desperation, a suffering population by thousands upon thousands, as fugitives, to our shores. From whatever quarter of the world the fugitives may come, he (Mr. Rolph) joined in giving them a hearty welcome. Let Canada be emphatically the emigrant's home. Let us combine to make it worthy of the choicest nations. If our fellow citizens of the world are unhappy at home, here let us prepare for them a country abounding with all the elements for their redemption. If idle, we can give them abundance of remunerative work, in the pursuits of agriculture, or the gigantic improvements of a free and enterprising people. If they hunger, we have a superabundance of food and ways to earn it. If they thirst, we open to them rivers unsurpassed in magnificence, and unrivalled in purity. If they want the earth to till and luxuriate upon, the Queen opens to them her wide domain. If they aspire to political rights, we offer them a liberty, which we desire to preserve pure and ample, and which we are now about to enlarge. If they pause and chill at the prospect of expatriation, (who can wonder at it?) we cheer them with a people embracing the nations of the earth. But this is not all. This, alone, is not enough. There is another recess of the heart to be reached. There is another wound of continental hearts to be healed. In almost every portion of the old world, we find the most fearful religious animosities and awful persecutions. From these scenes the people fly. They leave regions everywhere planted with the willow, and shrouded with mental darkness. Cutting asunder the ties of country, of friends, and relations, and doing violence to all the endearing associations of life, they fly from religious despotism with its frightful results, and seek an asylum here in the new world. Let us, however, see that it is new, that it is not an exchange of the religious paternity of Austria for that of Sir John Pakington. As they are religiously aggrieved, we must display to them a community where all Christians are free and equal, or, God granting it, shall be so; a land where the fluctuating discretion of a political minister shall not be a substitute for the merely worse despotism of Europe; where the exchange shall not be merely in

degree, but in kind; where neither the ecclesiastical empiricism of Downing Street, nor the usurpations of even our own legislature shall invade the Theocracy of the Christian Empire. He had transiently spoken of the mischiefs from legislation on religious affairs in England and Ireland and Europe. It may not be amiss for us to cast a glance on the brief history of our own Canada, and allude to the imported evils under which we have labored. Imported from home we have been afflicted with strife in attempts to annihilate the unchristian contests among christian ministers and churches about the Clergy Reserves; with strife to secure that religious equality which is the birthright of a people, and an indispensable ingredient of national peace and individual happiness.--It was not without a protracted struggle that a majority of the country, designated as dissenters, could legally hold a church, or a burial ground, or vindicate its peaceful occupancy by living worshippers or by the ashes of the dead. Our ecclesiastical history, however, has been furnished by events too recent to need recapitulation to revive our recollections, awaken our caution, or enforce our duty. We have had struggles here. They would be harder struggles in London.--The hon. member for Kent had better stay at home.

"Taxation without our consent" is, and ever will be an exciting topic; it is vulgarly called, "the argumentum and pocketum." But in all ages and in all countries, every people have been exquisitely alive to those rights of conscience, to those safeguards to independent faith, and to those securities, whether direct or indirect, bearing upon man's eternal relations, without which, as a religious and immortal being, he becomes liable to religious despotism or spiritual slavery. The control of our religious system, admitting it to be controlled at all, is far more important than the control of our monetary system. A nation enlightened by knowledge, human and divine, ever must be, and ever will be, free. But the moment the fetters are put upon the better part of man, and those moral powers are enfeebled, upon which his exaltation depends, he becomes fearfully endangered. He must then either submit to grope in the darkness or languish in the degeneracy of the State; or, if all the noble powers within heave against the direful incubus, he must wade for relief through the blood, the carnage, and the revolutions, which have involved all Europe in the past, and which are impending over its future destiny, and hope for regeneration. This, it will be said, is not exactly our political or religious condition. We may well rejoice at it. But it is the very degree of light and knowledge and freedom we possess, which enables and disposes us to regard with concern, that element of evil, which we now desire to be swept away. We must not simply regard the amount, the number or seeming magnitude of a constitutional disability; but we must regard the principle violated, the security that principle affords, and the evils to which its abstraction may give birth. Without our wonted precaution against fire, a spark despised has kindled a desolating flame. It is the extinguishment of the spark, which gives the security.--Hampden could well afford to pay the 20s. demanded; but had he and others paid what was demanded, at the time demanded, and upon the principle demanded, they would have been slaves; and that slavery might have descended to us. And whatever a political casuistry may say, to sooth the present and beguile the future, he (Mr. Rolph) was not prepared to say what might not be the religious condition of this or some coming generation, if this piece of leaven is allowed to work, and if our legislation upon these religious questions is to be merged in the distant, absorbing, changing and uncontrollable transatlantic power. They only ask, to be sure, for a little supremacy in a small class of cases. So the axe only asked for wood enough to complete its symmetry and handle; but so possessed, it became the small but efficient instrument for prostrating the finest forests.--The people of England, and most emphatically

the people of Scotland, have been taught, by history and experience, the importance, the supreme importance, of maintaining their constitutional ascendancy in their own religious and ecclesiastical affairs. We only ask them with their usual generosity and justice, to sympathize with our corresponding position, rights, and anxieties. It is just of those powers not to be given or withheld by an arithmetical rule. It is a right which equally affects and interests a few and a multitude; a little church and a large one; the humblest chapel and the most magnificent cathedral; a Solomon's Temple and the hermit's shade; Great Britain and Ireland, and progressive Canada. It is the right which accountable beings in a community claim to guard against undue power from abroad over religious interests of their country, or of any individual in it. The exercise of religious discretion by any people for another, or by any Government for a people, invades the sphere or mind and conscience, and obtrudes upon a dominion where man is forbidden to reign; a region which he cannot occupy with usurpation, or govern without impiety. We have good ground, therefore, to claim for ourselves the same right to vindicate and preserve our religious affairs in Canada, as the people enjoy in England and Scotland. The same privileges which belong to their larger parliament, appertain to our own, though to some it may seem comparatively small. Her Majesty is said to have the smallest watch in the world. It may be in a brooch; I believe it is in the facing of a ring--perhaps worn on the hand that shall record our liberation from our constitutional disability. This tiny watch however, has the same wheels, though so small, and the same component parts as are seen so much larger and more conspicuous in the magnificent chronometer of St. Paul's in London, or of St. Peter's in Rome. And the smaller Canadian Parliament needs the political elements corresponding to those in the Parent Parliament; that we may keep as good political time in Quebec as Britons do in London; that we may safely determine our longitude in the sea of Canadian politics; that our pendulum may properly vibrate between the safe limits of civil and religious liberty. The birds of the air have nests, and the princes of the earth have palaces; but the Lawgiver has bestowed upon both the very same physical laws,--laws which are equally necessary to each for its construction and its maintenance. The air we breathe is as necessary for the moth as for the mammoth; for the insect as for man. And without an atmosphere with those vivifying elements of civil and religious liberty, in which the people of Great Britain exult and breathe and live, our little community cannot politically exist, or existing, must languish. It has been poetically said, the poor black beetle which we tread upon, feels a pang as great as when a giant dies. And Canadians would mourn as much over the funeral obsequies of the Canadian Parliament, as Britons could over the like fate of its more gorgeous parent. We, therefore, call upon the people of England, Ireland and Scotland in their united Parliament, to heal the wound our Constitution has received--to remove the unjust and painful abridgment of our legislative functions--to feel a national pride in elevating instead of depressing us in enlarging, instead of contracting, the political institutions of their fellow countrymen in Canada. Let us remind them by the very draft we now make upon them, that, however some may superciliously regard us as a shrub, we bear a fruit not found on many giant trees; that we have sprung from the roots of the rose, the shamrock and the thistle; that while we are proud of our origin, they may be well proud of their offshoots; and that it behoves them freely to give us the elements necessary for our acclimation and luxuriant American sunshine. It is sometimes cavalierly said, we want nationality. The Scotch have their St. Andrew's Day, the English their St. George's Day, and the Irish their St. Patrick's Day. But, during forty years, he had not known a corresponding jubilee for the national character and people of Canada. The later American

colonies have their jubilee of the 4th July, coeval with their emancipation from an erring and unhappy policy. And the magna charta, announced by Simcoe and further sanctioned by the illustrious Durham, ought to be enough to elevate the feelings, cheer the prospects, and animate the nationality of Canadians. But against the letter and spirit of this magna charta, we are still troubled with disabilities calculated to lower the self-respect and depress the aspiring elements of Canadian character. It seems as if we might be again bound hand and foot by cord-like restrictions on our domestic policy. We cannot be allowed to legislate freely and unrestrictedly on the clergy reserves! We cannot be unceremoniously disappointed of Imperial pledges and guarantees, as sacred as those national treaties which cannot be repudiated without dishonoring international law and incurring the censure of the civilized world. It is these fetters on our institutions; it is these dampers upon our energies, even when directed to the all-absorbing subjects of internal improvement and of civil and religious rights, which cause our colonial abasement and our colonial indignities. We cannot have nationality, we cannot stand up in the attitude and with the spirit and with the action of colonial manhood, under these depressing agencies and these constitutional inferiorities. Never can we do so till that obstruction is removed which intervenes between us and the parent state; an obstruction which clouds our operations to-day and afflicts a whole people with a constitutional eclipse. Never can we do so, till we have fully and fairly what Simcoe announced in the over-memorable words--"I have brought you, not a mutilated Constitution, but a Constitution which has stood the test of experience, and is the very image and transcript of that of Great Britain." Any attempt on the part of Great Britain to cripple our Legislature or fetter it in its domestic legislation, is founded on an unwise policy. Such a mutilated condition is always attended with pain and disease; but happily with unceasing efforts under a political vis medicatrix nature, to attain a sound, a perfect and healthful state. Such a Legislature is, like an individual, ever with an eye upon the defect, mortified by its existence, chagrined by its notoriety, and humbled by humiliating comparisons. There is in infant nations, as in infant individuals, an aspiration to manhood. This ... [uneasiness] under restraint arises and increases under those causes which develop intelligence and power. And it is this very state, with its advancing invigoration and consciousness of power, which kindles that spirit of progress and that fire of ambition towards maturity in age and action, which alike animate and impel individuals and nations. Great Britain cannot but see that we are thus rapidly growing in all the elements of national strength, and therefore, seek from her a corresponding concession of national attributes. As children we went to church with our parents; as men we determine our own religious faith and establish our own ecclesiastical relations. Most assuredly Great Britain, because she is great, will not object to it. Canadians, as children, at first crept, and we crept with them. But in the progress of our growth, we became able to walk, and in time to run. Emboldened by the rapid acquisition of physical strength and youthful enterprise, we began to climb--to climb, often in a venturesome way, till a few failures, a few tumbles, inure us to exertion, give us buoyancy under disappointment and experience for every renewed attempt. We have left our old fashioned canoes and Durham boats, and boast of ships and steamboats that would, on the whole, bear comparison to those on the Thames, the Shannon or the Clyde. Impatient among the aspirants to the civilization and improvements of 1852, we have in being or in progress, canals and railroads, ministering to the convenience and luxuries of a growing people; a people whose commerce is worthy the consideration of mighty nations. And we share the honor and enterprise of sending far and

wide over this great continent our electric messages; and we hope by a submarine telegraph soon to hold converse with our transatlantic friends. We became of sufficient age to enter the Chrystal Palace, and conspicuous among the productions of all the civilised nations of the earth, were the Canadian exhibitions in the wide world's fair, and our noble friend stands here to-night, who carried in wheat, for our colonial empire the colonial prize--all these happy realities from the eventful past and brilliant expectations of the future, we are happy to surmount with Great Britain's Crown. But surely this very condition bespeaks the consideration due the constitution of the country--that it should not be pitifully fettered or ignominiously reduced--that we should not have abstracted from us the right of solely judging of our religious faith and ecclesiastical relations--that while we are empowered to dispose of the wild lands generally, we shall not be interdicted in the appropriation of that portion of them which are reserved for ecclesiastical uses.--It is desirable that this concession should extend in the most unrestricted sense, to all our local affairs. In debate in the British Commons, Sir J. Pakington declared that his duties were sometimes overwhelming. He might, therefore, very properly relieve himself of all our ecclesiastical and other local affairs. Even allowing that there are some larger objects visible in the distance, by Downing Street, there are within every remote province innumerable matters regulating the minute affinities in social religious relations, which no distant eye can see. A political microscope can be applied only to objects near it and at home. The central gravitation of Downing Street is not suited to control those more minuter and intimate changes which more properly appertain to local political chemistry. The central power may hold in systematic union the numerous elements of the general empire, and keep them within their appointed areas, and within the limits of their constitutional orbits; but that central power would be unavailingly expended upon the subtilty of molecular action, upon the adjustment of those elective attractions, which variously predominate in different parts of the widespread whole. Let England glory in the successful direction of her mighty energies in maintaining the interests of the Empire, while each integral part is allowed to be the theatre for the display of its own intimate and appropriate powers. Let us, if any one does, attend to our own reserves, to our own churches and their vital condition, as affected favourably or otherwise by the monies raised from us and distributed among them.--In thus seeking the restoration of our abstracted right, we follow the footsteps of the parent state. To Englishmen we appeal to favor us in an advancement like their own; that we may grow like them, not only in population, commerce and wealth, but also in those political attributes which render them pre-eminent among the nations of the earth. We appeal to Irishmen, that they may remember the days of their infancy, when they could originate no bill, take the initiative in no measure which had not emanated from the crown and received its sanction; when they were placed in their general legislation, as we are in the Clergy Reserve question, with a power merely to accept or reject such bills as might be proposed or modified by the British government. As they have from their proximity become engrafted into the Parent Parliament, surely they will generously bid us at a distance to maintain our integrity, exalt our usefulness and mature our powers. We appeal to Scotchmen, that they may remember the Lords of the Articles, appointed by the Crown, and holding the power of really Legislating for the Scotch Parliament; that they may remember their subordinate position as a people from the abolition of their Legislative Star Chamber, till the memorable year 1832, when Scotland emerged from her humble position, received a co-extensive franchise with the sister Isle, and moved puri passu with the knights of the English shires. And surely this bright epoch in Scottish history, is too recent to find the devout gratitude of the nation exhausted, or its sympathy for a kindred and emerging power, lost in

its own elevation. We appeal to the claims presented by the agricultural, commercial, and general prosperity of the country. This prosperity is ascribed to constitutional causes by no less authority than Lord John Russell; who,--not in a casual or even parliamentary speech, but in a cool and deliberate address to his electors,--directs their attention, even as an example, to the happy and enviable condition of progressive Canada; and emphatically ascribes it to the wisdom and ability with which constitutional government has been carried out among us.--But let us not forget that we have not to boast of this achievement merely by ourselves; certainly not without sharing the honor and glory with one of the most distinguished British statesmen of the day; a statesman more impassioned in his eloquence than Pitt, and not less sagacious than Canning, or less polished than Peel; a statesman who comprehends and respects constitutional liberty in all its bearings, and can wield with surpassing wisdom and success the sceptre of free government; one who can steer amidst difficulties that would give a crimson dye to any European throne; and who has bound up wounds with such princely magnanimity and patriotism, as not to leave even a scar behind. Looking, therefore at the whole question in its rise and progress and present position, and regarding the just pretensions of a deserving, industrious, and loyal people, he felt the justice of our constitutional appeal; an appeal for the restoration of our lost power and abstracted right to initiate and legislate effectually upon the Clergy Reserves, and all vital question inseparable from their appropriation. Such was the liberty, which, as a Canadian, he made bold to ask; such was the liberty which, as an Englishman, he would be proud to give. And as a step, he hoped a successful step, towards it, he supported the ardent and truth-telling address in¹⁰⁹ the Speaker's hands.¹¹⁰

MR. LAURIN.--Les circonstances, monsieur l'orateur, me forcent à donner mon opinion sur les résolutions proposées. Je crois que la reine ne sanctionnerait pas un bill passé par cette législature, avant que cette législature n'en ait reçu le droit du parlement anglais. Adopter un pareil moyen serait, à mon avis, le moyen de n'avoir pas de solution de cette question. Je suis d'opinion que l'Angleterre ne doit pas intervenir dans nos affaires locales.

Je n'entends pas, par mon vote en faveur des résolutions, me lier en faveur de la sécularisation des réserves. Il me semble qu'on ne doit pas soulever cette question en ce moment, et puis en l'amenant, comme le membre pour Kent l'a fait, c'est vouloir ne pas régler la question. J'ajoute qu'une expression verbale de ses sentiments de la part du ministère ne nous engage pas.¹¹¹

Un député.--Cette expression verbale équivaut à un écrit.¹¹²

MR. LAURIN.--Non, nous ne sommes pas liés par là, et voilà pourquoi, je voterai pour les résolutions.¹¹³

MR. J. A. MACDONALD said the hon. member who had just sat down had favored the House with a mass of verbiage; but without one single acorn of sense. He now called the attention of the hon. gentleman to a part of the subject, which he had sedulously avoided--he meant the resolution of Mr. Brown which pointed out what was to be done with this property when the control of it was obtained.--Why not tell the people of England, as one honest man would tell another what they ment [*sic*] to do with the property? The reason was that they knew a motion to secularize the Reserves would not be pased [*sic*] in that house, and in order that they might keep their places they still continued to maintain the affair in a position, which enabled them to keep it before the country. Now the hon. member declared that the act of Victoria was unconstitutional, and yet he scoffed at

the idea of passing an act of our own Parliament against it. Now if this Imperial act were as he said unconstitutional, how could there be any objection to pass an act in opposition to it? If the imperial act were unconstitutional, that act was void, and could never be enforced with the hon. members opposite at the head of the Government, and Canadian Judges on the bench sworn to observe the laws. The hon. member by proving, if he had proved, the Imperial act unconstitutional had cut away all the ground on which he stood to oppose legislation by bill. Now he took it that the early settlement by Geo. III was one that the British authorities of that day had a right to make. The hon. gentleman indeed said that the lands belonged to the people of Canada; but how vain and futile an opinion was this? Was the whole of this vast country from the St. Lawrence to Hudson Bay the property of the free people, who first settled it? Were the four or five men who first settled in New Zealand the proprietors of the entire island? Or were they not the proprietors of just so much land as they had grants for and no more? From this point he went on to answer the arguments of the hon. member against the constitutionality of the act of 1840 especially that one arising out of the agitation that this grant was in the nature of taxation. This he said was a perfect failure for if one grant was taxation, so must every other grant of land be too. The assertion that these lands were not vested rights he treated as equally futile, for the grant by statute was the best assurance by which any man could hold his property. He reasserted that the opposition caused by the 3rd and 4th Vic. was not felt till called up by way of a counter irritant after the windows of the Parliament House were broken. Then turning to the resolution which spoke of collision he said that however, some gentlemen had prudently explained the word the President of the Council with his usual frankness had given it its true intention; for the hon. member had boldly declared that he would fight for it. But what was very remarkable was that this fighting was to be done in favour of something, which was heartily opposed by some of these hon. gentlemen themselves, at a very recent period. The hon. Solicitor General (East) had, in the words read the other night, loudly declared that he was against the secularization of the Reserves; but he had changed his opinion. He had scarce got a place, and though of course that had nothing to do with it, it was a remarkable coincidence, and reminded him of the words of the poet:

"What makes all doubtful doctrine clear,
Tis just six hundred pounds a year,
And what will make that false once more
Which was more clearly true before,
Why just another hundred more."

Here Mr. McDonald ridiculed the voluntary principle, which he said if it meant anything it meant that every man should support his own religious teacher by his own means; but if so, the Indians and heathen ought to support their own missionaries, and those worthy people in the Kingston Penitentiary ought to be allowed to pay for their clergymen out of their own resources. He for his part was in favor of endowment, & of all the churches having an equal share and if there was not now enough unappropriated land in these reserves to endow all alike, he would take enough crown lands to do so. He then began to read from a letter of Mr. Cameron in 1850, in which that gentleman said he looked on the then ministry "with disgust" for not settling the Reserves by bill, which might have been passed, and "which would have received the Royal assent." He supposed the hon. member must now feel the like disgust for himself; and if not the Reformers of Leeds and elsewhere would soon begin to be disgusted. But of all changes in opinion he most regretted that of the hon. Provincial Secretary, and

with sorrow felt how that the entire ministry were leagued together to destroy the character of this property. And who were the people who incited them to destroy it? Why just those who were for attacking every ecclesiastical institution throughout the Province.¹¹⁴

MR. INSP. GEN. HINCKS asked what the hon. member did with the Jesuits estates?¹¹⁵

MR. J.A. MACDONALD would maintain every institution founded on law or the spirit of law. As he understood it the Jesuit estates had become reinvested in the crown, because the order which owned them had ceased to exist.¹¹⁶

MR. SOL. GEN. CHAUVEAU (en anglais).--M. l'orateur, le sujet qui nous a occupé durant les dernières séances a été tellement discuté, et les membres du gouvernement ont tellement répondu à toutes les objections qu'on a faites contre les résolutions, que mon intention ... [était] de ne pas parler; mais les discours des honorables membres pour Montmorency, Toronto et Kingston (MM. Cauchon, Boulton et McDonald) me forcent à rompre le silence.¹¹⁷ Alluding to the taunts which had been addressed to him on account of former votes, [he] asked whether hon. gentlemen opposite had not also changed their minds.¹¹⁸

Je n'examinerai pas, M. l'orateur, si ces honorables membres qui ont été si portés à citer les discours des autres pour les mettre en contradiction avec eux-mêmes, et à les taxer d'inconséquence, ont toujours eu sur le sujet qui nous occupe en ce moment les mêmes vues, les mêmes idées, les mêmes opinions. Je me garderai tout spécialement de scruter la conduite passée du représentant sénior de Toronto (M. Boulton), car ses opinions du jour sont celles d'un homme très avancé, et l'on se rappelle qu'il appartenait précédemment au vieux parti tory dont il partageait les opinions et les vues.¹¹⁹ As to the farther taunt¹²⁰ qui ... est venu de l'honorable membre pour Montmorency,¹²¹ that the ministry were not ready to declare their opinion as to what would be done for the future, he said that as the hon. member for Montmorenci had not declared what he would do, he could not blame any one else.¹²²

MR. CAUCHON.--Question qui ne nous est pas soumise en ce moment.¹²³

MR. SOL. GEN. CHAUVEAU.--Comment alors l'honorable membre peut-il me faire les reproches qu'il m'a faits dans une précédente séance?

Il prétend que, dans une autre session, honorable M. LaFontaine, procureur-général-Est, s'étant prononcé fortement contre la sécularisation des réserves, je me levai et déclarai approuver entièrement le discours si logique de l'honorable procureur-général. L'honorable membre pour Montmorency aurait pu ajouter qu'ayant été interrompu par le représentant de Lincoln (M. Merritt) qui me demanda comment je considérais la question, je répondis que je la regardais comme étant une question du Bas-Canada autant que du Haut-Canada¹²⁴, and aksnd [sic] whether he would be forever opposed to the secularization of the Reserves.... He said distinctly no; but that he would be ready to yield to the opinion of the people of Upper Canada.¹²⁵

Quant à l'hon. membre pour Toronto (M. Boulton), il a donné à entendre à cette chambre qu'en agissant aujourd'hui avec le gouvernement qui se prononce pour la sécularisation, quoique j'aie déclaré précédemment approuver entièrement la manière de voir de l'honorable M. LaFontaine, je me laisse influencer par la considération de mon salaire.

Mais, M. l'orateur, l'an dernier, j'ai voté¹²⁶ for an address¹²⁷ de la même manière que je me propose de le faire sur les résolutions.¹²⁸

Un membre du côté gauche.--Ce n'était pas moins une contradiction.¹²⁹

MR. SOL. GEN. CHAUVEAU [continued:--] Lorsque la question s'est présentée d'abord, s'était une question nouvelle pour nous,¹³⁰ the members from Lower Canada¹³¹, elle venait devant nous pour la première fois.¹³² But the question was not merely as to this matter of the Reserves, as distinct from the general policy of the country. The true question was whether the whole Reform party should be broken up on this difficulty--whether the Lower Canadians should go and servilely beg for the aid of gentlemen opposite who had taunted him that night¹³³ Alors il n'y avait pas parmi les représentants réformistes du Haut-Canada cette uniformité, cette unanimité de sentiment que nous remarquons aujourd'hui. Il n'y avait alors qu'une minorité en faveur de la sécularisation.

L'hon. membre pour Toronto (M. Boulton), est venu reprocher au ministre de n'avoir été soutenu sur les premiers votes sur cette question durant la présente session, que par 17 voix Haut-Canadiennes. L'honorable membre a peut-être oublié que nous ne nous soutiendrons jamais par deux ... [voix] de majorité, achetées par la corruption,¹³⁴ and that majority ... had threatened rebellion at a time when in the greatest difficulty the Reformers of Upper Canada had nobly stood by their allies of Lower Canada.¹³⁵ Ceux qui sont si scrupuleux aujourd'hui devraient se rappeler le temps où ils l'étaient si peu. D'ailleurs, puisque j'ai voté en 1851 en faveur des résolutions de l'honorable M. Price, je puis aujourd'hui soutenir les résolutions de l'honorable inspecteur-général. Ces résolutions, en effet, ne sont qu'une réclamation contre l'Angleterre d'un droit que nous devons défendre énergiquement.

On nous a dit, M. l'orateur, que la 7e résolution exprime une menace, et d'autres, qui ont pourtant les mêmes opinions que l'honorable membre pour Montmorency, ont ajouté qu'ils voteraient contre les résolutions parce que le gouvernement a déclaré être en faveur de la sécularisation [sic] .

Le mot collision dans la 7e résolution, pour tout homme non prévenu, pour tout homme qui n'est pas animé de sentiments d'envie contre le gouvernement, ce mot n'est qu'une représentation, c'est un avertissement. Il ne peut signifier une collision à mains armées. Il signifie une collision de parlement; c'est une collision morale et politique qui se ferait par bills, par pétitions ou par adresse.

L'honorable membre pour Montmorency nous a dit, M. l'orateur, que beaucoup d'honorables membres de cette chambre voteraient en faveur des résolutions, mais que s'il ne s'agissait pas pour eux de donner un vote de parti, ils voteraient contre le gouvernement en cette occasion.

Mais cette honorable membre doit être maintenant convaincu que nous ne différons tous d'opinion que sur les détails.¹³⁶

Une voix.--Et un peu sur le fond de la question.¹³⁷

MR. SOL. GEN. CHAUVEAU [continued:--] L'honorable membre de Montmorency n'aurait pas dû profiter d'un mot qui est bien inoffensif après tout, pour faire l'essai de ses forces. Il aurait dû se souvenir de ses idées et opinions sur l'union qui doit exister dans un parti.¹³⁸

MR. CAUCHON. Ce qui ne veut pas dire qu'on doit abandonner ses principes.¹³⁹

MR. SOL. GEN. CHAUVEAU. L'honorable membre pour Montmorency se rappelle-t-il de son voyage au Haut-Canada, alors que l'honorable président de conseil (M. Cameron) faisait de l'hon. membre pour Montmorency une espèce d'exposition dans la province supérieure?¹⁴⁰ That hon. member had declared that he had found the necessity of being a party man, instead of a "loose fish"¹⁴¹. Se rappelle-t-il ce qu'il écrivait alors contre les conservateurs, les tories du Haut-Canada qui

sont ses alliés d'aujourd'hui? L'honorable membre disait: ... (M. Chauveau lit ici quelques lignes d'un article du Journal de Québec¹⁴² [which included] a piece of poetry with which Mr. Cauchon had formerly adorned his speech, in which the tories were treated very scurvily¹⁴³, et puis il reprend:)

L'honorable membre pour Montmorency parlait ainsi il y a trois ans, et aujourd'hui le voilà l'ami des mêmes hommes qu'il maltraitait de la sorte. L'honorable membre évidemment a changé d'opinion et de principes; il est devenu¹⁴⁴, again¹⁴⁵, d'après lui-même un loose fish [sic].

Si l'honorable membre de Montmorency était venu nous expliquer ce qu'il veut ou entend faire au sujet des réserves, on le comprendrait peut-être. Mais, non, il se tait; il veut se réserver, afin de pouvoir plus tard se coaliser avec les conservateurs du Haut-Canada. Je vais aider l'honorable membre en lisant pour l'édification de ses alliés un nouvel extrait de son journal au sujet du parti tory; ils verront ce qu'il pense d'eux. (M. Chauveau lit ici un extrait du Journal et il continue:)

Je regrette, M. l'orateur, d'avoir été forcé d'en venir à tous ces détails! Je regrette d'avoir été obligé de répondre aux imputations que l'on a faites contre moi, en lisant des articles de journaux. Mais j'ai dû le faire pour montrer aux honorables membres combien leur opposition est mal fondée.

D'un autre côté, si le Haut-Canada demande que la question des réserves du clergé soit réglée une fois pour toutes, n'oublions pas que nous avons nous-mêmes la question de la tenure seigneuriale; nous avons besoin de l'aide du Haut-Canada pour législater sur cette question. Agissons donc bien à son égard. D'ailleurs, le gouvernement a fait connaître ses vues sur cette question et sur plusieurs autres, telles que le changement qu'il projette dans nos institutions municipales, l'extension de la franchise électorale dans le Haut-Canada, l'augmentation de la représentation basée sur la population respective des deux provinces. Nous devrions être, et nous sommes tous d'accord sur ces grandes questions.

Les tories sont bien plus séparés, bien plus divisés que nous ne le sommes, ou qu'on prétend que nous ne le sommes. En effet, on voit dans leurs rangs deux clear-grits avancés, quelques vieux tories de l'ancienne école, et enfin des membres qui ont des vues presque semblables à celles du gouvernement actuel! Ils ne pourraient certainement pas s'entendre sur des questions de politique générale.

Si maintenant nous prenons les doctrines de l'honorable membre pour Haldimand et de l'honorable membre pour Kent (MM. McKenzie et Brown), nous remarquons dès l'abord leurs opinions sur l'éducation et sur les questions religieuses. Ils voudraient voir tous nos enfants aller à la même école, avoir les mêmes précepteurs; selon eux, c'est le meilleur mode de leur donner de la religion. Ces opinions et ces discussions religieuses ne nous conviennent pas et sont bien propres à nous surprendre.

Dans le Bas-Canada, en effet, jamais nous n'avons eu de différends religieux de cette sorte. Nous avons bien eu des désunions politiques très-animées, des différends [sic] nationaux plus grands et plus chaleureux peut-être qu'en aucun autre pays; mais jamais nous ne nous sommes querellés à propos de religion.¹⁴⁶ [In] Lower Canada ... he said, children of all faiths were instructed, without one parent having ever removed a child on account of his faith being interfered with.¹⁴⁷ Nous avons toujours été contents [sic] et satisfaits de voir les protestants posséder le droit sacré d'en faire autant pour les nôtres. Et la raison de tout cela, c'est que jamais nous n'avons eu dans notre presse des articles tels que ceux que l'hon. membre pour Kent (M. Brown) a voulu nous faire goûter. Aussi, je dois avertir l'honorable membre que l'homme que essaiera de transporter dans le Bas-Canada, les discussions religieuses du Haut-Canada, cet homme-là pourra s'attendre au mépris et à l'exécration de la population de cette section de la province.

Depuis le commencement de ce débat, M. l'orateur, on a continuellement fait une comparaison entre les réserves du clergé protestant et nos institutions religieuses du Bas-Canada. Cela aurait pu faire précédemment, mais ça ne fait plus aujourd'hui, car personne n'ignore que ces réserves n'ont cessé d'être à la disposition du parlement qui a pu continuellement législater sur cette question. Il n'en est pas ainsi des biens de nos institutions du Bas-Canada qui sont défendus par le droit de propriété. (M. Chauveau ridiculise ici M. Gamble à propos de ses amendements.)¹⁴⁸ In allusion to a remark of Mr. Gamble quoting the story of the Puritans: "Resolved that the earth belongs to the Saints,"-- "Resolved that we are the Saints," he said that the latter resolution had been much amended. First it was resolved that the Saints were the church of England; then that they were the churches of England and Scotland; then those of England; Scotland, Rome, and the Methodists were the Saints. Now one farther amendment was asked for, to make all the people of Canada the saints. It was no great matter after all.¹⁴⁹

Vouloir comparer les biens de nos institutions aux réserves du clergé est tout bonnement ridicule. Les biens qu'elles ont sont leur propriété, tout autant que les biens des collèges du Haut-Canada sont la propriété de ces collèges. D'ailleurs les menaces qu'on nous fait aujourd'hui sont les mêmes qu'on nous faisait lorsqu'il s'agissait de législater au sujet du King's College de Toronto¹⁵⁰, which after all was changed from the first destination of its funds by conservative hands.¹⁵¹ Et quant à l'honorable membre pour Montmorency, je le répète, il ne nous donne pas ses vues sur la question des réserves, pour se joindre plus tard, s'il est besoin, aux tories du Haut-Canada.¹⁵²

MR. CAUCHON (en anglais).--On a dû remarquer que pas un membre de cette chambre se lève pour exprimer une opinion contraire aux vues du gouvernement sans qu'un autre [*sic*] membre ne se lève à son tour pour faire la leçon à ceux qui l'ont précédé. Je n'ai pas besoin de dire que je veux parler de l'honorable membre pour le comté de Saint-Maurice. Je sens que, pour la dignité de cette chambre et pour la sienne propre, on ne peut consentir qu'une fois à répondre à un pareil adversaire et, le gouvernement lui-même, dans son propre intérêt, pour son propre salut, devrait lui imposer silence.

Ne sait-on pas qu'en 1848, il fut le seul membre de la chambre du Bas-Canada libéral sur le vote duquel ont [*sic*] eût des doutes.¹⁵³ He here referred to the facts that Mr. Turcotte had once said that the man who accepted an office from the government was seven degrees below, not zero, but something he could not name¹⁵⁴. Cependant il fut heureux d'accepter plus tard une situation de 300 à 350 louis.¹⁵⁵ And then upon another occasion¹⁵⁶ ne sait-on pas qu'il disait à qui voulait l'entendre qu'il ne faisait le commerce du bois que parce que la politique ne payait pas, mais que si le bois n'était pas rénumératif [*sic*], il retournerait à la politique. Depuis il n'a cessé de vaciller allant d'une opinion à une autre, ou mieux d'une spéculation à une autre.¹⁵⁷ Again ... he had accepted office under the Conservatives; and had since accepted another office of £75 a year¹⁵⁸, et vous le voyez, le député payé, supportant le gouvernement à raison de £75 par année. Il est vrai que c'est peu de chose, mais si, comme on le dit, chacun a son prix, il faudra convenir que l'honorable membre pour le comté de Saint-Maurice, vaut tout juste £75! Plus tard cette chambre a découvert que l'honorable membre devait recevoir du gouvernement une somme de £300¹⁵⁹, and he presumed that it was this, which had induced him to be so earnest in the support of the government.¹⁶⁰ Aussi voyez-vous cet homme non seulement voter avec le gouvernement, mais donner la leçon à tous ceux qui osent élever la voix pour le condamner. Placez £300 d'un

côté, et £300 10/ de l'autre et soyez sûr que l'honorable membre donnera sa voix aux £300 10/.¹⁶¹ [OR] If to-day, he said, £375 were placed on one side of the House, and £400 on the other, he would not venture to say to which side that gentleman would turn.¹⁶²

L'honorable membre a parlé de la presse qui supportait la précédente administration. Pour ma part, j'ai supporté de ma plume et de ma parole l'autre administration, mais je lui ai donné mon appui sans jamais en rien obtenir, et je défie qui que ce soit dans l'administration, qui que soit dans cette enceinte comme en dehors de cette enceinte, de dire que j'aie jamais rien reçu pour les dix années d'appui que j'ai données à l'administration qui n'est plus. J'ai refusé depuis une situation honorable et lucrative, et j'ai perdu le patronage du gouvernement qui valait bien davantage sous le rapport pécuniaire, pour soutenir un principe. Je n'ai pas regret de ce que j'ai fait, je suis glorieux de l'avoir fait, et si les choses étaient à recommencer, je ferais encore de même, parce que quand un homme entre dans la vie publique, il doit se préparer à faire des sacrifices, ou ne pas se mêler de la chose publique. (Ecoutez, écoutez.)

L'honorable député du comté de Québec disait l'autre jour dans le débats sur l'adresse que ce qui me fesait de la peine, c'est qu'il n'avait pas été question de la correspondance Hincks-Cauchon durant ces débats. Je n'ai pas même parlé de cette correspondance dans les différentes occasions où je vous ai adressé la parole; lorsque j'ai parlé de mes opinions, je faisais allusion à mes opinions exprimées et dans la chambre et dans la presse. Il n'est plus nécessaire de parler de cette correspondance qui a été discutée six mois durant et qui est connue du pays tout entier. L'avenir dira si j'avais raison; le présent prouve déjà que je me trompais peu.

Si, comme voudrait le dire l'honorable député du comté de Québec, j'étais peu important, pourquoi l'administration m'a-t-elle d'abord offert une situation importante? pourquoi ensuite a-t-elle lancé contre moi son chef et son plus redoutable champion, à son propre dire? On ne fait d'ordinaire ni tant de bruit ni tant d'efforts pour combattre un adversaire faible et impuissant. Je suis fier du résultat de la lutte, et quant à la correspondance, comme je l'ai dit tout à l'heure, elle est devant le pays qui la jugera et dont j'accepterai le jugement volontiers.

Je me suis opposé à la résolution qui contenait le mot "collision," parce que ce mot était une menace du genre, et on vient nous dire maintenant qu'il ne s'agit que d'une collision d'opinions entre l'empire et le Canada.¹⁶³

MR. COM. CR. LANDS ROLPH. N'avez-vous jamais entendu parler de collisions entre la chambre des lords et celle des communes anglaises?¹⁶⁴

MR. CAUCHON. Oui, je sais qu'il y a eu de pareilles collisions; mais l'honorable député de Norfolk est-il sérieux quand il compare la collision qui peut avoir lieu entre deux corps politiques dans le même pays pour des questions de privilège, et la collision dont un pays peut menacer un autre pays, si le dernier n'accorde au premier les concessions qu'il lui demande. Il y a quelquefois collision entre deux bateaux à vapeur, et le gros coule d'ordinaire le petit à fond. Est-ce cette espèce de collision que vous voulez? Non, dites-vous, vous ne voulez que d'une collision morale, d'une collision de résolutions, d'une simple friction de chiffons de papier! Quel ridicule. (Ecoutez, écoutez.)¹⁶⁵

Then turning to Mr. Christie ... he said¹⁶⁶, l'honorable député de Wentworth, que je regarde comme mon ami personnel, bien que je ne puisse partager ses opinions politiques, me donnait hier une verte leçon, et il disait ironiquement à l'honorable député de Norfolk et à l'hon. député de Huron: "Vous devriez aller demander des leçons de sagesse au député de Montmorency."

J'appelle inoffensivement l'honorable député de Wentworth, la colle¹⁶⁷ de l'administration, parce qu'il est l'un des agents de l'alliance nouvelle. Nul doute qu'il ne soit fier de son oeuvre, et l'on comprend également qu'il la défende avec un zèle aussi outré.

J'ai dit qu'il était la colle ministérielle, j'aurais dû dire la colle de farine, dont on peut détruire la tenacité au moyen d'un peu d'eau, car il est visible que les pièces diverses de cette oeuvre monstrueuse se séparent et s'éloignent. (Rires et écoutez.)

Monsieur l'orateur, voilà douze ans que j'écris dans la presse, et huit ans que je suis dans cette chambre, et il me semble que j'ai acquis le droit d'exprimer librement ma pensée, sans être obligé d'en demander la permission ni au député de Norfolk, ni à celui de Huron, ni même au député de Wentworth.

L'autre jour, l'honorable député de Norfolk traitait cavalièrement le député d'Haldimand parce qu'il combattait l'administration, comme si ce dernier avait jamais promis de la soutenir. Et aujourd'hui, l'honorable député du comté de Québec, me fait aussi à moi un sanglant reproche de ne pas vouloir de collision contre l'Angleterre avec l'administration. Est-ce donc que j'ai jamais promis de supporter la présente administration, et lui ai-je jamais témoigné ma confiance? Ce n'est pas avec un fouet que l'on éveillera ma confiance; et, dans tous les cas, il faut pour me fouetter des hommes d'une autre taille que celle du député du comté de Québec. (Ecoutez et rires.)

Je fais d'ailleurs une grande distinction entre les hommes de l'administration qui se croient le pays et le pays lui-même. (Ecoutez.)

Je n'ai pas peur de répéter en anglais ce que j'ai dit en français sur les hommes qui supportent le gouvernement dans le Haut-Canada. J'ai dit que le clear-gritisme était le socialisme et je ne me rétracte pas. Le socialisme n'est autre chose que la négation de la propriété, le seul fondement social. Or cette négation de la propriété on la trouve dans la presse clear-grit, dans cette presse qui a porté au pouvoir les honorables députés de Norfolk et de Huron. Il est vrai que cette presse se tait aujourd'hui, parce qu'on lui a dit de se taire, en l'avertissant qu'elle mettait en danger l'existence même du pouvoir.

Elle a éteint ses feux parce qu'elle attirait sur elle un ennemi formidable. Mais le moment du danger passé elle braquera de nouveau ses canons sur nos institutions pour les raser. (Ecoutez, écoutez.)

L'hon. député d'Haldimand ne disait-il pas, l'année dernière, que la volonté de la majorité était la loi, et M. Caleb Hopkins ne parlait-il pas précisément dans le même sens? Je sais bien que ces deux hommes vous diront qu'ils ne veulent pas porter atteinte à la propriété et qu'ils la respectent. Mais s'ils la rencontrent comme obstacle sur leur chemin, si l'opinion de la majorité la convoite, vous les trouverez invariablement à déclarer que ce qu'ils veulent accaparer ou détruire, n'est pas une propriété. (Ecoutez, écoutez.)

On me vait un crime d'avoir accusé les clear-grits de socialisme, mais l'honorable inspecteur-général, en répondant à certains électeurs d'Oxford, n'a-t-il pas accusé lui aussi leurs doctrines d'être empreintes de socialisme?¹⁶⁸

MR. INSP. GEN. HINCKS. Je ne me rappelle pas les mots que j'ai employés, mais l'honorable député de Montmorency en lisant ma lettre trouvera qu'elle n'a pas la signification qu'il lui donne.¹⁶⁹

MR. CAUCHON. Je regrette de n'avoir pas cette lettre devant moi, mais qu'on la lise et l'on se convaincra que je l'ai parfaitement comprise et appréciée. L'on y trouvera que l'honorable inspecteur-général, repoussait les doctrines de ces électeurs d'Oxford, parce qu'elles étaient socialistes. Je ne suis donc pas si coupable d'avoir trouvé du socialisme dans les nouveaux alliés de l'honorable inspecteur-général.

J'approuve encore une fois cette énergique répudiation des doctrines clear-grits ou socialistes par l'honorable inspecteur-général; mais n'indique-t-elle pas l'anomalie de sa position? Et le résultat de son élection en est-il moins significatif et moins humiliant [sic]?

Quoi! l'homme qui a rendu tant de services au H.-C. en particulier, et au parti réformiste de cette partie du pays, le chef du ministère, l'homme, par conséquent, le plus important du pays, ne peut se faire élire dans son propre comté, qu'à l'aide des certificats de bonne conduite pour le passé ou de promesses pour l'avenir qui lui sont donnés par ses collègues clear-grits, ses nouveaux alliés! Et encore malgré ses certificats, à peine est-il sorti de la lutte avec la mesquine majorité de quatre-vingts voix. (Ecoutez, écoutez.)

Si l'on a répudié l'un des hommes les plus honnêtes et les plus honorables du parti libéral haut-canadien, M. Baldwin, et si même l'honorable inspecteur-général, à l'ombre des ailes des honorables députés de Norfolk et de Huron, a eu tant de misère à se sauver du naufrage de tout le parti libéral haut-canadien, pourquoi donc me faire un crime de n'avoir pas confiance en l'état de chose actuel?

Pour ma part, j'ai toujours cru qu'il y avait des droits au-dessus de la volonté de la majorité ou même de la volonté générale, et parmi ces droits je place celui de la propriété. Mais pour que ces droits soient supérieurs et antérieurs à la volonté de la majorité, il faut qu'ils aient un fondement divin.-- (Ecoutez.)

La propriété a un fondement divin; les lois qui la règlent ne font que le constater en lui donnant sa place. Nier ce fondement divin, c'est nier la propriété, c'est donner raison aux socialistes contre vous et contre la société. (Ecoutez, écoutez.)

L'honorable député du comté de Québec m'accuse d'être inconsistant et cite ce que je disais il y a trois ans, lorsque j'accompagnais l'honorable député du Haut-Canada; il croit avoir trouvé des armes contre moi, et des accusations d'une énorme gravité.

Lorsque je visitai le Haut-Canada, j'y rencontraï partout de la bienveillance, et surtout un désir extrême d'entendre un canadien-français. On croyait que les canadiens-français étaient d'une race toute différente de celle des autres hommes, et l'on fut étonné de m'entendre même m'exprimer dans un mauvais anglais.

J'aurais voulu comme je le leur disais alors, voir au milieu [sic] d'eux quelqu'un plus digne et plus capable que moi de représenter mes compatriotes; mais ayant sur les épaules cet honorable fardeau je le portai le mieux que je pus.

Mais vous ne sauriez croire avec quel étonnement ils reçurent la nouvelle que, jamais dans le Bas-Canada, il y avait eu de contentions religieuses; que les canadiens-français non-seulement ne se plaçaient pas entre la conscience de l'homme pour la torturer et son Dieu, mais que lorsqu'un candidat brigait leurs suffrages, ils ne songeaient même pas à lui demander sa religion; qu'à toutes les époques de la constitution, des comtés entièrement français et entièrement catholiques avaient été représentés par des protestants; que l'ancienne chambre du Bas-Canada, composée en presque totalité de canadiens-français, avait la première de toutes les législatures du monde, placé toutes les religions sur le même niveau, en accordant à toutes les mêmes droits civils, lorsqu'en Angleterre encore à l'heure qu'il est la tolérance tient lieu du droit; et que cette même chambre d'assemblée du Bas-Canada accordait aux juifs les privilèges d'hommes et de citoyens qui leur sont refusés encore, en ce moment, par le parlement de la Grande-Bretagne.

Je rendis compte de ces faits partout où il me fut donné de parler, aux dîners et dans les assemblées publiques. Un dimanche, comme le missionnaire

catholique du lieu où je me trouvais était absent, j'allai avec mes amis à l'église presbytérienne. Le ministre de cette église qui m'avait entendu, et auquel les principes et la libéralité du Bas-Canada avait plu, pria longuement pour moi. J'en fus heureux, car, pauvre pécheur, je sentais que j'avais besoin de prières. (Ecoutez, écoutez et rires.)

Mais quel mal ai-je donc fait dans le Haut-Canada pour m'attirer d'aussi sanglants reproches? J'ai voulu connaître le Haut-Canada, et faire connaître le Bas-Canada dans la mesure de mes forces, parce que j'ai toujours cru que si nous nous connaissions mieux réciproquement, nous pourrions mieux nous entendre et travaillerions plus efficacement au bien-être de tout le pays.

L'honorable député d'Haldimend [sic] m'a montré le discours que j'ai prononcé à Brantford, croyant sans doute que ma conduite d'aujourd'hui est une contradiction de ma conduite d'alors. Je l'engage [sic] à tirer tout le parti possible de ce discours et le défie d'y trouver une contradiction, une inconséquence dans ma conduite actuelle. (Ecoutez.)

Mais l'hon. député du comté de Québec s'est cru plus heureux dans ses recherches. Il me fait un crime d'avoir dit, il y a dix ans, que je ne voulais être d'aucun parti, et plus tard d'avoir eu le courage de reconnaître que ce que je disais était une absurdité. J'étais jeune alors, et si chaque douze mois n'apporte pas une année d'expérience et de réflexions, alors il est inutile de vieillir.

Le gouvernement constitutionnel est essentiellement un gouvernement de partis, repose essentiellement sur un parti, et si chacun des représentants veut être indépendant de tout parti et voter chaque jour seul, il y aura nécessairement autant d'opinions qu'il y a de députés dans cette chambre, et le gouvernement ne sera pas un instant possible. Or la société ne saurait exister sans un tel gouvernement. C'est pour cela que les hommes qui ont une même manière de voir sur la plupart des questions publiques, s'unissent pour soutenir ou pour combattre un ordre de choses. Souvent sur des questions mineures, ils ne pensent pas à l'unissent, mais, en hommes raisonnables, ils font taire leurs sentiments personnels parce qu'en combattant leurs amis, ils leur ôteraient la force morale dont ils ont besoin pour atteindre le but général et ils les détruiraient.

Laissez faire les adversaires de votre parti. Leur oeuvre essentielle à eux est de rechercher les fautes de vos amis, et ils les trouveront, soyez en sûrs.

Mais si j'ai senti qu'il fallait faire le sacrifice de mes opinions individuelles, je n'ai jamais compris que je devais pousser l'abnégation jusqu'au sacrifice d'un grand principe social. (Ecoutez, écoutez.)

L'hon. député du comté de Québec aurait dû éviter de m'accuser de vasculations dans ma conduite politique, surtout s'il se souvenait de son passé;--il aurait dû, dans son intérêt, ne pas m'attaquer personnellement, moi qui avais soigneusement évité toute attaque personnelle. Je ne l'avais pas attaqué d'abord parce que son poids était imperceptible dans la balance administrative, et qu'il ne pouvait mettre en danger ni l'équilibre [sic] politique ni l'équilibre social; je ne l'avais pas attaqué surtout parce que je voulais éviter, avant toutes choses, de mettre les personnes à la place des questions publiques. Mais l'honorable membre a voulu ce genre de lutte par ses attaques réitérées, et il me force de parcourir son passé. Je regrette sincèrement d'y être amené, surtout je regrette que l'honorable membre ait une nature aussi versatile et se soit perdu par ses passages incessants d'une opinion à une autre, d'un parti à un autre, car il a indubitablement du talent et il eût pu être utile à son pays.

De 1844 à 1847, il soutint vaillamment les luttes du pays; mais il faiblit en 1848. Le parti qui est maintenant dans l'opposition occupait le pouvoir, et le parti

libéral au commencement de la session avait renversé ce pouvoir par un vote de non-confiance. MM. LaFontaine et Baldwin furent naturellement appelés par le gouverneur-général à reconstituer l'administration. Ils ne consultèrent pas le député du comté de Québec, et ce qui est plus pénible encore, ils ne lui donnèrent pas la situation de solliciteur-général! Et s'il osait le nier, il serait facile de lui prouver qu'il voulait être solliciteur-général. (Ecoutez, écoutez.)

De ce moment, il bouda l'administration, de ce moment il en fut l'adversaire taquin, et son mécontentement dura trois ans.¹⁷⁰ He further accused Mr. Chauveau ... of voting for representation based on population in opposition to the government; and of speaking against the secularization of the Clergy Reserves at a time when he could not fail to have understood them.¹⁷¹ Si sa sensibilité se fût propagée, et si sa suggestion eût prévalu, tous les députés du district de Québec eussent résigné leurs sièges pour punir MM. LaFontaine et Baldwin de ne les avoir pas consultés.

Mais ce n'est pas [sic] tout, l'imagination de l'honorable membre, chagrine, était en travail, et la rumeur dit qu'un jour il fit un rêve.¹⁷²

MR. SOL. GEN. CHAUVEAU.--Cette rumeur n'est pas fondée.¹⁷³

MR. CAUCHON.--Que l'honorable membre y prenne garde, car je pourrais bien au besoin lui indiquer du doigt la maison qui fut témoin de ce rêve délicieux et rafraîchissant, et lui nommer les personnes [sic] devant lesquelles il le racontait lui-même avec un plaisir ineffable. Il se présente donc un beau matin devant les personnes dont je viens de parler, en leur disant: "J'ai fait un beau rêve cette nuit, j'ai rêvé que cette administration ne tiendrait pas!" (Ecoutez, écoutez.)

Il serait même facile de lui prouver, s'il l'exigeait, que quelques jours avant d'être appelé à être solliciteur-général, il trouvait comme moi et autant que moi l'alliance monstrueuse. Mais les honneurs et surtout les émoluments [sic] ont tant d'empire sur cette âme flexible, que devant la proposition du pouvoir dût s'abaisser et disparaître cette montagne d'obstacles qu'il apercevait un instant auparavant. La seule différence qui pourrait exister entre lui qui m'attaque incessamment, et moi, c'est que j'ai refusé une situation lucrative et honorable et tout le patronage du gouvernement qui valait mieux encore, pour sauvegarder mes principes, et que lui il a sacrifié ses principes, si toutefois il en avait, il a sacrifié du moins ses opinions de l'instant d'auparavant, à un salaire de £600!

Et quand on est ainsi versatile, on se trouve souvent dans l'obligation, tout en affirmant qu'on est consistant avec son passé, d'expliquer ses tergiversations. C'était en 1850 que l'honorable député du comté du Québec déclarait qu'il votait contre les résolutions de M. Price parce qu'on ne l'assurait pas que si l'Angleterre nous remettait le pouvoir de disposer des réserves nous n'en changerions pas la destination. Or l'honorable membre disait hier, lorsque je lui lisais, sans le nommer, les paroles qu'il prononçait immédiatement après l'admirable discours de M. LaFontaine, qu'il avait eu soin de répliquer à l'honorable député de Lincoln, qui lui posait une question à ce sujet, qu'il n'était pas plus hostile à un autre arrangement de la question que l'arrangement actuel. Mais aujourd'hui en présence du discours que l'honorable député de Toronto a découvert, il change de moyen de défense et il avoue avoir changé d'opinion. C'était une question nouvelle, dit-il, et je parlais ainsi parce que je ne la comprenais pas.

Mais c'était en 1850 qu'il montrait un aussi grand respect pour les appropriations religieuses. Il était alors député depuis six ans, et la question des réserves avait été discutée tous les ans dans la chambre à partir de 1844.

L'honorable membre a-t-il découvert que la constitution de 1791, qui mettait à part le septième des terres incultes pour le soutien du clergé protestant, ne dit rien de cela, et que tout le monde l'a mal comprise et mal interprétée? L'honorable membre a-t-il découvert que l'acte impérial de 1840 a effacé le caractère de la destination des réserves, et que, ce qui était réserves ne l'est plus? Qu'est-ce donc qui a produit un changement si notable dans les idées de l'honorable député du comté de Québec? C'est qu'en 1850, il n'était pas solliciteur-général et qu'il l'est aujourd'hui! (Ecoutez, écoutez.)

Je regrette encore une fois la position d'hostilité que me fait à son égard l'honorable député du comté de Québec, et au lieu d'avoir à lui faire des reproches aujourd'hui, j'aurais été joyeux et fier de rendre témoignage aux services publics que le pays avait droit d'attendre de ses talents. (Ecoutez, écoutez.)

Au lieu de m'attaquer, l'administration aurait dû me remercier des services que je lui ai rendus en imposant silence à sa presse qui la perdait, par son dévergondage et ses doctrines outrées. Les instincts de cette presse et du parti qu'elle représente, ne sont pas éteints, ils ne sont qu'assoupis. Mais il n'en est pas moins vrai qu'en la reproduisant chaque jour et en montrant au Bas-Canada, le but où elle tend incessamment, j'ai rendu service au pouvoir puisque cette presse, non seulement a fini par garder le silence, mais encore nous a dit que non seulement elle n'en voulait pas à nos institutions, mais qu'elle les respectait et les aimait même. (Ecoutez, écoutez.)

Il est vrai que de temps à autre, elle oublie sa position, et suinte à ses instincts et à sa nature destructive; mais ces services n'en sont pas moins réels au pouvoir, et j'aurais conséquemment droit de sa part à une plus grande somme de reconnaissance. (Ecoutez.)

Je dois dire en terminant, comme je disais hier, que je voterai pour les six premières résolutions, parce que je tiens surtout au droit constitutionnel que je n'ai jamais cessé de réclamer, mais je voterai contre la septième résolution parce que je ne veux pas entrer en collision avec la Grande-Bretagne. (Ecoutez, écoutez.)¹⁷⁴

MR. MERRITT had heard this question discussed since 1833 but never before had he seen so much personal ill feeling manifested as during the last three days. He was in favour of having the reserves applied for promoting religion, but the manner would be by supporting education. Give education & religion will follow. He would ask for the power to legislate upon this question. The Jesuits' estates were appropriated for education, and the Clergy Reserves would be appropriated for the same thing, and then there would be no jealousy.¹⁷⁵

MR. TURCOTTE spoke in French, and attacked Mr. Cauchon.¹⁷⁶ Je dois céder la place à l'honorable membre pour Montmorency, lorsqu'il s'agit de saletés et d'ordures dans lesquelles il se vautre comme dans son élément. L'honorable membre pour Montmorency, reprend M. Turcotte, a sans doute été choqué de ce que je lui avais attribué une queue parlementaire, composée en grande partie de deux braves membres qu'il proposait comme candidats au fauteuil de l'orateur; ce sont les honorables membres pour le comté de Saguenay et la ville de Trois-Rivières.¹⁷⁷

DR. LATERRIERE. Je voudrais bien savoir, M. l'orateur, qui a donné le droit à l'honorable membre de Saint-Maurice de venir ainsi mettre mon nom au jeu? Je n'ai jamais été candidat [sic] à la présidence de cette chambre, et j'espère que l'honorable membre ne se permettra plus de pareilles libertés à mon égard.¹⁷⁸

MR. TURCOTTE. Je n'ai pas voulu dire, M. l'orateur, que le nom de l'honorable membre pour le Saguenay et celui des Trois-Rivières aient été mis de l'avant par l'honorable membre de Montmorency avec leur consentement; je crois au contraire que ça [a] été fait sans leur participation.

Et qui ignore que l'honorable membre pour Montmorency a été de fauteuil en fauteuil dans cette chambre pour quêter des voix, afin de renverser l'administration sur cette mesure?¹⁷⁹

MR. CAUCHON. Jamais.¹⁸⁰

MR. TURCOTTE. Si l'honorable membre veut que je nomme les honorables membres de qui je tiens ce renseignement, je les nommerai.¹⁸¹

MR. CAUCHON. Je déclare, M. l'orateur, que je me crois le droit comme à tout autre membre, comme à l'administration qui en a si bien usé, de converser sur les mesures qui viennent devant cette chambre, avec les honorables membres mes collègues. Et quant à l'honorable membre pour Saint-Maurice, il peut citer les noms de qui il voudra; je n'y objecte pas. Si quelque honorable membre a pu aller dévulguer [sic] une conversation que je puis avoir eue avec lui sur cette mesure ou les autres questions soumises à cette chambre; c'est son affaire; le pays jugera.¹⁸²

MR. TURCOTTE. Quoique l'honorable membre n'objecte pas, je ne nommerai pas les noms des mes autorités.¹⁸³

Quelques membres (ironiquement): Ah! Ah!¹⁸⁴

MR. TURCOTTE. Je les consulterai.

L'honorable membre pour Montmorency a parlé de mes £75 de salaire. Mais il ne nous a pas dit qu'il avait refusé la situation d'assistant-secrétaire provincial¹⁸⁵ and £500 a year¹⁸⁶, (que le gouvernement avait fait la folie de lui offrir), par ce [sic] qu'il voulait être commissaire en chef des travaux publics.¹⁸⁷

MR. CAUCHON. Ce n'est pas le cas.¹⁸⁸

MR. TURCOTTE. L'honorable membre de Montmorency, après cela, a voulu effrayer le clergé de la province en lui montrant le fantôme du socialisme prêt à nous dévorer, afin de pouvoir se faire un parti clérical.

D'un autre côté, qui a provoqué la presse du Haut-Canada? C'est l'honorable membre pour Montmorency. C'est son Journal qui a fait insulter le clergé catholique et les Bas-Canadiens. (On rit). L'honorable membre a agi ainsi pour se former un parti et renverser l'administration. Et il ne craint pas de se vanter d'avoir à lui seul fait taire la presse du Haut-Canada.

Un homme qui agi ainsi n'a pas le droit, M. l'orateur, de venir reprocher même une fausse position à un de ses collègues. Et pourtant c'est encore cet honorable membre qui prétend avoir été admiré dans le Haut-Canada, et y avoir fait au Bas-Canada un bien immense.

L'honorable membre m'a accusé de tergiversations. Je défie l'honorable membre de me citer une seule de mes paroles, un seul de mes écrits qui soit contraire aux principes soutenus par les réformistes Bas-Canadiens. Je l'engage surtout à demander la production de la correspondance entre le gouvernement et moi au sujet de la place de solliciteur-général que j'ai occupée sous l'administration de l'honorable membre qui représente la cité de Montréal (M. Badgley). On verra que les reproches qu'il me fait sont mal fondés, et que j'ai accepté cette place par des motifs très-hauts (!) et dans l'intérêt de mes compatriotes.¹⁸⁹

Une voix. Ecoutez, écoutez (ironiquement).¹⁹⁰

MR. TURCOTTE. J'avais déjà refusé cette place-là plusieurs fois, et je n'ai pas honte de l'avoir accepté plus tard, surtout lorsque l'honorable membre pour Montréal (M. Badgley) était procureur-général.¹⁹¹

MR. CAUCHON. Mais il a protesté et refusé sa sanction à cette nomination.¹⁹²

MR. TURCOTTE. La presse de l'honorable membre pour Montmorency a parlé contre moi, elle a répété toutes sortes de calomnies, de....

(M. Turcotte, se sert encore ici d'expressions qu'il répugne de publier....) Et l'honorable membre pour Montmorency vient nous débiter tout cela dans cette enceinte.

Je le déclare de nouveau, je n'ai pas honte d'avoir fait partie de l'administration de l'honorable membre représentant de Montréal, car je l'ai fait dans un but de rapprochement. D'ailleurs cette même administration-là reçoit aujourd'hui les éloges de l'honorable membre pour Montmorency.¹⁹³

MR. CAUCHON.--Non, ce n'est pas le cas.¹⁹⁴

MR. TURCOTTE.--L'honorable membre nie encore. Mais peut-il nier qu'il soit allé à 2, 3, 4, 5 membres du Bas-Canada, et qu'il leur ait dit qu'il avait une liste de 20 membres du Haut-Canada prêts à faire alliance avec lui et ses amis, et à voter pour un orateur canadien-français? Je n'ai jamais fait une indignité semblable, moi, et pourtant c'est l'honorable membre qui nous disait il n'y a pas longtemps qu'il ne veut pas se séparer de ses compatriotes. Et aujourd'hui il nous donne un motif futile pour faire tout le contraire. Il a peur d'une collision, il voudrait un mot plus doux. L'âme timorée!

J'ai voulu faire voir, M. l'orateur, l'honorable membre pour Montmorency sous son propre jour. J'ai voulu montrer au pays qu'il avait essayé de renverser l'administration actuelle.

Pour moi, je ne baisserai le front que quand l'honorable membre AURA prouvé ses avancées. Je ne me sentirai humilié que quand j'aurai agi d'une manière semblable à celle de l'honorable membre.

Je demande pardon à cette chambre pour l'avoir entretenue si longtemps, et je m'assieds n'ayant rien à dire sur la question!¹⁹⁵

MR. EGAN spoke in a low voice but was understood to say that he¹⁹⁶ was ready to confess that he was not fully prepared to form an opinion on this important subject, although he listened attentively to the four days discussion. However, he would be willing to support the resolutions if certain expressions which he could not approve of were stricken out. He would also ask the ministry--and the reply would influence his opinion to a considerable extent--whether it is their purpose to preserve intact the rights of incumbents?¹⁹⁷

MR. PROV. SEC. MORIN said that it is not possible for the Government to say at once what will be the details of a measure not now under consideration. At the same time, he would say that it must be a measure of justice, not of injustice.¹⁹⁸

MR. EGAN understood from the reply that if the Government had the subject before them for legislation, they would preserve the rights of present incumbents.¹⁹⁹

MR. INSP. GEN. HINCKS did not think it possible for any one to expect the Government to enter into the details of a measure over which they have no control.²⁰⁰

"Hear" "Hear" from the opposition.²⁰¹

MR. INSP. GEN. HINCKS [continued:--] Gentlemen might laugh, but he would like to know who ever heard of such a thing being put to a Government when they had not the question under consideration.²⁰²

MR. EGAN was, perhaps in error in asking that question, but he had understood distinctly by [the reply] that the Government was willing to preserve the rights of present incumbents.²⁰³

MR. H. SMITH. Not a bit of it.²⁰⁴

MR. PRES. EX. COUN. CAMERON explained that, on a previous occasion he had expressed the opinion that the rights of the present incumbents should be maintained. He drew a distinction between the vested rights, as some chose to call them, of the party of the Church of England, and the rights of present incumbents. He considered those rights vested, so far as they are concerned.²⁰⁵

MR. J. A. MACDONALD (Kingston). Is this an explanation by the Government?²⁰⁶

MR. PRES. EX. COUN. CAMERON had answered a question. He answered for himself.²⁰⁷

MR. EGAN thought it was satisfactory to get that information, even from one member of the Government. On looking over the Journals of the Upper Canada House of Assembly, he had read resolutions forming the basis of addresses to the Crown, containing language quite as strong as that used by the Inspector General in these resolutions, and the names of Sir Allan MacNab, Robinson and other members of the Conservative party appeared as supporters of those resolutions. He should therefore feel no difficulty in supporting the Inspector General on this occasion, if he would consent to strike the word "collision" out of the last resolution. It was an objectionable expression which would produce a bad effect in England, and he, for one could not vote for it.²⁰⁸

MR. VIGER²⁰⁹ announced his determination to vote against the resolutions, as he had voted against Mr. Price's address. He did so because the avowed object is to secularize the Reserves, and he could not give his consent to such a measure.²¹⁰

MR. R. MCDONALD, of Cornwall said,--When he considered that the question now before the House related to the Clergy Reserves, that it had been before the country, and discussed in every session of the Legislature for many years back, he was really unable to conceive how any thing new could be said on the subject. He felt, however, that he would not discharge a duty which he owed to the country and to his constituents in particular, were he to allow this debate to pass off without expressing his views upon a question which involved such serious consequences as regards the prosperity of Canada; and he did think that this was the proper time for every hon. member to express his opinion, and convey to the House some idea of the general anxiety which prevails in the public mind upon a subject which so seriously affects our common interest. At the opening of the proceedings of this House, some hon. members had taken much pains to point out causes and influences which prevent that progressive improvement in Canada which, they say exists in the United States; now, it did appear surprising to him that those hon. gentlemen who manifested so much zeal in enumerating obnoxious causes which stand in the way of improvement, had not included in their list, the Clergy Reserves, which, it cannot be denied, had a most baneful influence upon the improvement and settlement of the Province, and likewise, had always been a most mischievous and practical cause of dissatisfaction and discord. He might give many instances of the evils which arise from Reserves; but he would content himself,

by merely referring to the effect they have had in diverting the tide of immigration from the Canadas, to the United States and other countries. The British Government always had a desire that the surplus population of Great Britain should come out to settle and improve the wild lands of this province; and for that purpose enormous sums of money had been expended in encouraging schemes of emigration; millions of dollars. But it was a fact which, in his opinion, could not be controverted, that a large portion of the immigration so sent out, instead of settling in Canada, go to increase the population of the United States. It was well known that a large majority of the emigrants who came to America, leave their native land, for the purpose of freeing themselves from the domination of church. But when they land in Canada and find that there is no less than the one seventh part of the Province reserved for the benefit and maintainance of a particular church, a system which they had been accustomed to abhor and detest, they at once determine to go to the United States, where they are given to understand they can enjoy civil and religious liberty, and that the State shows no preference or partiality to any denomination of christians over another. It was, therefore, evident that these Clergy Reserves have had a most baneful influence upon the improvement and settlement of the Province. The fever which now prevails in the public mind, and which has been caused by irritation arising out of this vexatious question, was by no meant [sic] in its incipient stage, it was far advanced, it had a strong hold of the public mind; and is gained [sic] more strength by every new disappointment the people experience in not obtaining a final and satisfactory settlement of the question. He did not wish to be understood as making use of language which implied a threat towards the British government; no one should regret more than he, that any event should happen that might end in a separation from the mother country; because he was sure that such an event would prove disastrous, to us, and to our best interests. But at the same time, he was of the opinion that unless a course be pursued by which a timely and efficacious remedy be applied--not only Canada but Great Britain itself may have reason to deplore the result. He was in favour of the resolutions proposed by the Hon. Inspector General on the subject of these reserves, and would vote for them. He was opposed to the amendment proposed by the House member for Kent, on the ground that he thought it premature to ask the Government, how they intend to dispose of these Reserves, before the Home Government will grant us the power to legislate upon the subject. Some hon. member had said the language used [in] the resolution was too strong. He differed from them in opinion. Address after address had ... been sent to the Home government, praying for the repeal of the Imperial Act which relates to the Clergy Reserves, but as yet those acts remain unrepealed. It was therefore necessary to use strong language, in order to draw the attention of Her Majesty's Government to the matter, and he thought it would be unwise on the part of the House, to pursue any other course than that which would put Her Majesty's government in possession of correct information as regards the feeling which prevails in the public mind in Canada on this subject²¹¹, and he would object to having the language modified.²¹²

MR. ROBINSON made some remarks and concluded by saying that he would vote for the first resolutions of the hon. member for Kent.²¹³

MR. BROWN rose to reply to the personal attacks made on him, but was interrupted by--²¹⁴

MR. INSP. GEN. HINCKS who called on the Speaker to decide as a point of order whether the member for Kent had a right as the mover of an amendment to reply.²¹⁵

MR. J. S. MACDONALD the SPEAKER said, that according to the rules of the House the mover of an amendment could only be allowed to do so by the courtesy of the House.²¹⁶

MR. FERGUSSON, seconded by MR. MACKENZIE, moved that Mr. Brown have leave to speak²¹⁷.

After some conversation MR. BROWN said the rule of the House should be observed²¹⁸, [and] the motion was withdrawn.²¹⁹

MR. G. WRIGHT (West York) argued that the settlement of 1840 had been requested as final by the people of Upper Canada, and he spoke from an extended knowledge of the people. The late agitation had been got up for serving the selfish end of a few politicians, and not be-cause [sic] of any feeling in the country, against the present disposition of the reserves. He was not in favour of diverting them from the purposes of religion.²²⁰

MR. SHAW made a few remarks [sic] against the resolutions of the ministry; but said that he would not offer the government any factious opposition upon any measures they might propose.²²¹

The question was then taken on Mr. Brown's resolutions²²².

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And the Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Boulton, Brown, Burnham, Christie of GASPE, Crawford, Dixon, Fergusson, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Papineau, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Willson and Wright of West Riding of YORK.--(22.)

NAYS.

Messieurs Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Dumoulin, Egan, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton,

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LaTerrière, Laurin, LeBlanc, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Patrick, Polette, Poulin, Attorney General Richards, Rolph, Rose, Sanborn, Short, Sicotte, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Varin, Viger, White, Wright of East Riding of YORK, and Young.--(54.)

So it passed in the Negative.

And the Question being again proposed, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;"

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "That" to the end of the Question be left out, in order to add the words "the final settlement of this exciting question most consonant with the feelings of the People of Canada, would be the diversion of the Clergy

Reserve lands and funds from all ecclesiastical and church purposes whatever, and their application to the support of a general system of secular education, whereby persons of all classes of society and of all religious creeds, may alike profit;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Fergusson, Langton, Mackenzie and Papineau.--(5.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of GASPE, Christie of WENTWORTH, Clapham, Crawford, Dixon, Attorney General Drummond, Dubord, Dumoulin, Egan, Fortier, Fournier, Gamble, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, LaTerrière, Laurin, LeBlanc, LeBoutillier, Lemieux, McDonald of CORNWALL, Macdonald of KINGSTON, Malloch, Marchildon, Mattice, McDougall, McLachlin, Merritt, Mongenais, Morin, Paige, Patrick, Polette, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Rose, Sanborn, Seymour, Shaw, Short, Sicotte, Smith of FRONTENAC, Stevenson, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Varin, Viger, White, Willson, Wright of East Riding of YORK, Wright of West Riding of YORK, and Young.--(71.)

So it passed in the Negative.

And the Question being again proposed, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington,

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Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;"

Mr. Brown moved in amendment to the Question, seconded by Mr. Fergusson, That all the words after "That" to the end of the Question be left out, in order to add the words "a Select Committee of five Members of this House be appointed to prepare and report to this House, with all convenient speed, the draught of a Bill, framed in consistency with the powers of the Parliament of Canada, providing for the speedy sale of the Clergy Reserve lands to actual settlers, and for the appropriation of the funds heretofore legally derived, or to be hereafter derived, from the sale of such Clergy Reserve lands, to the maintenance of Common Schools: also, to prepare and report to this House, for the adoption of this House, and to accompany the aforesaid Bill when it shall, in due course, be transmitted to Her Majesty, the draught of an humble Address to Her Most Gracious Majesty, expressing the deep regret of this House at the contents of the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, dated the 22nd April, 1852, reminding Her Majesty that the settlement of the Reserve question, in the words of the Despatch of the Right Honorable the Earl Grey, 'is one so exclusively affecting the People of Canada, that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs to regulate all matters concerning the domestic interests of the Province,' assuring Her Majesty that the settlement provided for in the Bill aforesaid, is in unison with the opinions of the People of Canada and of their Representatives, and is the only one which will ever be held as final, assuring Her Majesty that very strong feelings prevail among the

People of Canada on this subject, and that consequences deeply and lamentably affecting the prosperity of this Colony may be apprehended, if the feelings of the People are overruled by Imperial power, and earnestly urging that the said Bill may receive the Imperial sanction: the said Committee to consist of the Honorable Mr. Cameron, the Honorable Mr. Papineau, Mr. Mackenzie, Mr. Fergusson, and the mover:

"That the Constitutional Act 31 Geo. 3, cap. 31, directed that in respect of all grants of land made in the Province of Canada by the Crown, a quantity, equal to one-seventh of the land so granted, should be reserved for the support of a Protestant Clergy, being one-eighth of each Township; that instead of this proportion, and in direct violation of the Imperial Statute forming the only authority for the Reserve, there was actually set aside in Upper Canada as Clergy Reserves, by fraud or error, one-seventh of all the land, or a quantity equal to one-sixth of the land granted; that the same violation of the Act occurred in Lower Canada, but to a greater extent,--a quantity equal to one-fifth of the land alienated having been reserved for the Clergy, instead of one-seventh; that the public domain was thereby wrongfully divested of 300,000 acres in Upper Canada, and 227,559 acres in Lower Canada, or, in all, of 527,559 acres of land, and, therefore, that the said Select Committee be further instructed to prepare and report to this House, a measure providing for the recovery from the Clergy Reserve Fund, of the money received in payment of lands so wrongfully set apart, and for the appropriation of such money and of the land so wrongfully set apart and yet unsold, to the maintenance of Common Schools;"

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Fergusson, and Papineau.--(3.)

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NAYS.

Messieurs Badgley, Boulton, Burnham, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of GASPE, Christie of WENTWORTH, Clapham, Crawford, Dixon, Attorney General Drummond, Dubord, Dumoulin, Egan, Fortier, Fournier, Gamble, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, LeBlanc, LeBoutillier, Lemieux, McDonald of CORNWALL, Macdonald of KINGSTON, Mackenzie, Malloch, Marchildon, Mattice, McDougall, McLachlin, Merritt, Mongenais, Morin, Paige, Patrick, Polette, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Rose, Sanborn, Seymour, Shaw, Short, Sicotte, Smith of FRONTENAC, Stevenson, Stuart, Taché, Terrill, Tessier, Turcotte, Valois, Varin, Viger, White, Willson, Wright of East Riding of YORK, Wright of West Riding of YORK, and Young.--(73.)

So it passed in the Negative.

MR. INSP. GEN. HINCKS²²³ replied at considerable length to the various arguments advanced against the adoption of the resolutions²²⁴. [He] stated that the debate had been characterized with more personal attack and crimination than any previous debate which he remembered, and that he much regretted, as it was important that there should have been a deliberate discussion and expression of opinions on this important subject. For the information of gentlemen from Lower Canada he read from the journals of the House the history of the legislation upon this subject in Upper Canada and shewed that for a long series of years the House of Assembly had repeatedly demanded the secularization of the Clergy Reserves.

He contended that the agitation had never ceased, and that it was admitted even by the conservatives that the present settlement could not stand. He believed it would be impossible to arrive at any settlement short of secularization that could prevent agitation. The hon. member for Kingston had characterized the resolution as being both "insolent and impotent" and much had been said against the unfortunate word "collision." He did not attack [sic] to the word collision the importance which hon. gentlemen had done; and he could solemnly assent, that he had never intended to use it in such sense. He stated that he would have no objection to take that word out.²²⁵

Laughter and ironical cheers from the opposition²²⁶. Shouts of "hear, hear," "wise conclusion," "prudent conclusion," "a great improvement," &c., &c., arose from all parts of the opposition side of the House.²²⁷

MR. H. SMITH[said] "substitute the word delusion in lieu thereof."²²⁸

MR. INSP. GEN. HINCKS continued to remark upon the word "collision", and contended that he should not be doing his duty to himself, his friends, or his colleagues if he persisted in maintaining it.²²⁹ No minister would be justified in retaining a word of that kind, in the face of such an expression of opinion as had taken place; but that he, nevertheless, believed it to be the proper word.²³⁰ He went on to reply generally to the debate, and concluded by stating that the course which they had adopted was the best and most likely to be successful--and that was the opinion of a distinguished member of the imperial parliament, whose opinion was entitled to weight.²³¹

MR. HINCKS' motion was put, when---²³²

MR. BROWN²³³ rose in reply. He said he would not detain the House long, but there were some points of the debate which he felt it necessary to remark upon. The Hon. Attorney General West had commented on his (Mr. Brown's) declaration that he was unwilling to have the control over the Reserves transferred to Canada unless there were a previous vote of this House on the question of secularization; and he had harped on this in regular clap-trap style to make it appear that he (Mr. Brown) was afraid to trust the people of Canada to settle their own matters. This might be very good clap-traps [sic] but it was nothing more. He had no fear of the people of Upper Canada in this or any other matter--but he had fear of that House, constituted as it was. When they remembered that fifteen gentlemen sat in that House for a constituency of 136,800 people or 9,120 apiece--and that [an]other fifteen gentlemen sat for 468,159--or 31,200 people each--he thought he was quite warranted in fearing the House without distrusting the people. Give him a Representation Bill according to population and he would not distrust the House on any question. The hon. member for Huron (Mr. Cameron) had made the extraordinary declaration that he never proposed to legislate on the Reserve question in defiance of the Act of 1840--and challenged him (Mr. Brown) to show that his (Mr. Cameron's) bill of 1850 did not contain a suspending clause similar to Mr. Boulton's. Was not the hon. gentleman's argument in 1850, that the Act of 1840 did not interfere with that of 1791? and did he not propose to proceed by bill as if the Act of 1840 were not in existence? How could he in the face of the record on the journals, and his speeches out of the House and in it, attempt to set up so extraordinary a defence of his present position? The hon. member for Wentworth had contended that the present Government made an advance on their predecessors in introducing their resolutions as a ministerial question. But this was not so--the resolutions of the late ministry in 1851 were brought in by

Government--and therefore the present men had in no manner advanced upon their position. The hon. member for Haldimand frankly admits that his (Mr. Brown's) resolutions are better than those of the Government--but he will vote for the latter and against the former. It was only necessary to record the fact--and that there were many gentlemen from Upper Canada who held the same opinion without avowing it. The hon. member for Haldimand was not content with expressing this opinion, said Mr. Brown, but apparently to retaliate upon me for placing him in an awkward position, he indulged in a personal attack of the most unwarrantable character. He had picked out a lot of extracts from controversial articles in the Globe newspaper running over a period of years, and having garbled them in such a manner that they might grate most harshly on the prejudices of the Roman Catholic members of this House--he read them last night, when they had no pertinence to the question in hand, and for a base paltry purpose, held me personally responsible for these articles. Sir, I congratulate the gentleman on his position--as a panderer to Roman Catholic prejudice--endeavouring to ingratiate himself with the dominant party in this house by assailing and casting a reproach over his own opinions as a Protestant. The Hon. Solicitor General East did not fail to avail himself of the opportunity to endorse Mr. Mackenzie's sentiments and he told the House that the author of such extracts as those ready by Mr. Mackenzie, deserved and would receive the execration and contempt of the people of Lower Canada, Catholic and Protestant. Sir, I demur to being held responsible on the floor for articles appearing in a journal under my control--but assailed as I have been, I shall not hesitate to avow that I am the author of the extracts read by the member for Haldimand--that I endorse every word he read and in the face of all the execration and contempt of the hon. Solicitor General and those who think with them, I am prepared to justify it all. Every one of the articles from which extracts were read, were written in self defence, were in reply to personal attacks by Roman Catholic writers or criticisms on aggressive movements by the followers of the Papacy. They were all argumentative articles on grave public questions and not as Mr. Mackenzie would have made it appear, as volunteer attacks on the Romanists and their faith. The chief extracts were from an article of 19th December, 1850, on the celebrated Papal aggression of Cardinal Wiseman, and with the leave of the House I will read some extracts to show the real character of the writing--234

A number of French voices.--No, no,--dispense, dispense--don't read, don't read.235

MR. BROWN.--The gentlemen cry, don't read. Is that their courtesy? Is this their notion of fair play? I was assailed last night in the most unjust manner, and exposed for near an hour to the taunts and sneers of the Roman Catholics in this House--and, to the shame of the Protestants, without one man to stand by me; and now, when I ask leave to reply, I am met with cries of dispense, dispense! If this is French Canadian justice, I pray to be delivered from it. (Mr. Brown then went on to read extracts from the articles on the Wiseman aggression, in which the daring assumptions of the Papacy were shown, and their direct effects on civil liberty; the manner in which the educational institutions of Ireland had been interfered with by the Bishop of Rome; the insidious efforts making [sic] all over this Continent to place the education of the youth in the hands of the priests; and the absolute necessity of resisting these encroachments--not by punishment of penalty, but by the full establishment of the voluntary principle, and a thorough system of national education, before which the errors of Popery must rapidly give way.236

MR. INSP. GEN. HINCKS and other members tried to stop the reading; but the hon. member for Kent held on his way, and would not be put down.²³⁷

MR. BROWN:--These are the sentiments which Mr. McKenzie garbled, and there is not a Protestant in this House who understands the question, but must essentially agree with every word I have read. But what was the avowed object of this attack? Oh, Mr. McKenzie does not think the union can be carried on if the public newspapers avow such sentiments. Does the member for Haldimand desire to stifle opinion? Does he desire to set himself up as a censor of the public press? He does not think such articles should be published forsooth! The Press of Canada is to be brought to the bar of this House, and told what it shall publish and what it shall not! And all because political parties may suffer from too free an expression of opinion! Sir, I know not what others may think, but as the conductor of a public journal, I will do my duty to the public on all and every question affecting the common weal, whoever it pleases or whoever it displeases. Let the hon. gentleman and his new friends answer the arguments if they can and let Truth prevail; but let them not attempt to stifle free discussion. Better a thousand fold that political parties were split up forever than that the Public Press should be muzzled on a great question such as this. On what principle of ethics shall such monstrous doctrine be maintained? "Political Papers!" I disown the term--there is no topic affecting the public weal which the Journals can shun and do his duty faithfully to God and man. How shall he throw off the responsibility he owes to this God for the great trust in his hands, if on every subject affecting the one great issue of Time and Eternity, he refuses to speak out, least, also, the party should be injured! No political, or any other party can be maintained unless truth is the foundation,--and that party which seeks to stifle free discussion to ensure its existence, is on the brink of a merited dissolution. Sir, the hon. Solicitor General told me that the secular education-men of Upper Canada could find model institutions in the seminaries of Lower Canada. No interference with creed is to be found here--everything is open and anti-sectarian. If I am rightly informed, the youth attending these seminaries are bound to attend the Roman Catholic service every day, and the Roman Catholic church on Sabbath.²³⁸

A NUMBER OF FRENCH VOICES.--No, no,--they only attend when they choose!²³⁹

MR. BROWN: Then, I am very much misinformed.²⁴⁰

MR. TERRILL said he could corroborate Mr. Brown's statement. He had attended one of their Seminaries for two years, and he had two sons now at St. Hyacinthe College, and in reply to a direct inquiry he had been told that they could not be received under different conditions from those stated by Mr. Brown.²⁴¹

This gave a new appearance to the case, but some gentlemen protested that "a change must have been lately made."²⁴²

MR. BROWN proceeded.--If this "Utopia" of the Solicitor General is to be the model for the new educational scheme of the Government in Upper Canada, I suspect the hon. gentleman will not find it quite so much admired in the West as it seems to be in Quebec. Mr. Brown then went on to comment on the speech of Dr. Rolph, but space forbids our enlarging the report. He called attention to the total absence of practical matter in the hon. gentleman's oration, and that there was in fact but one point attempted to be made. That point was, that the Imperial Act of 1840, was unconstitutional--and Mr. Brown went on to show that if this were so, then the Act of 1791 was still in force and we had full power to legislate.²⁴³

MR. COM. CR. LANDS ROLPH interrupted Mr. Brown to say that this was true, so far as "right" was concerned, but the "power" of Britain was against us, and he feared the Act of 1840 would be there held valid.²⁴⁴

MR. BROWN. Then what was the use of the argument, and what was the use of deceiving the Clear Grits for so many years by making them believe that a Bill could be passed? Mr. Brown said the hon. gentleman had been pleased to be facetious on his (Mr. B's) remark that if the Colonial Office did not move on the Clergy Reserves question, he would endeavour to bring public opinion in England to bear on the question. He ridiculed the idea--but had no such mission been ever heard of before? How did Mr. Howe get his promise of the seven millions? Was his mission not greatly aided by the public meetings he held in England and the aid he attained from the public Press? Had there been no missions to Washington--no lobbying there--no money spent in manufacturing public opinion? And had the hon. gentleman forgotten the missions to New Brunswick and Nova Scotia--the public meetings and speeches, and newspaper puffs? Why should all this be so proper in one matter, and so ridiculous in another? Mr. Brown went on to review Dr. Rolph's speech at some length, and concluded by explaining the grounds on which he gave his vote now that his resolutions were lost. He said an important change had been made in the position of the question since the debate began--the Ministry had at last been forced to declare formally in favour of secularization, and those who voted for the Government resolutions did so with a knowledge of this, and of course pledged themselves thereby to vote for secularization when the question came up.²⁴⁵

A number of French Canadian voices.--No, no--we are not pledged!²⁴⁶

MR. BROWN.--The gentlemen say no, no--but I say yes, yes--and the country will hold every one of them bound as honest men to vote for secularization in consistency with their votes to-night. This had altered his (Mr. Brown's) view of the matter in some degree; and there was also another consideration which had weighed with him. The vote from Upper Canada would be nearly balanced; he recollected the use that was made in England of one or two close divisions on Mr. Price's motion--and wrong as he conceived the course of Ministers to be, he shrunk from the responsibility of aiding by his vote the High Church misrepresentations that would be made in England as to the popular opinion on this question in Canada. He had in no manner changed his opinion as to the right course of procedure--nor as to the danger to the voluntary cause were the content of the Reserves transferred now; but he had placed his views upon record--they had been overborne--and he would now give his vote for the main resolutions, throwing the entire responsibility of the consequences which might result upon the Ministers and those who sustained them in this present course. Before doing so, however, he would make one other attempt to obtain a declaration from the House on this question of secularization. Mr. Brown then moved in amendment, a preamble to Mr. Hincks' resolutions declaring for secularization²⁴⁷.

[The motion] was overruled by MR. J. S. MACDONALD the SPEAKER.²⁴⁸

The division was then taken on the main resolutions²⁴⁹.

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Then the main Question being put, That an humble Address be presented to Her Most Gracious Majesty, to assure Her Majesty that this House deeply regrets to learn from the Despatch of the Right Honorable Sir John S. Pakington, Her Majesty's Principal Secretary of State for the Colonies, that Her Majesty's

Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Dumoulin, Egan, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, LeBlanc, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Patrick, Polette, Poulin, Rolph, Attorney General Richards, Rose, Sanborn, Short, Sicotte, Taché, Terrill, Tessier, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(54.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Papineau, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Stuart, Viger, Willson, and Wright of West Riding of YORK.--(22.)

So it was resolved in the Affirmative.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and

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the Question being put, That whatever difference of opinion may exist among the People of Canada as to the best mode of disposing of the revenues derived from the lands known as Clergy Reserves, the great mass of the People will ever maintain the principle recognized by the Right Honorable the Earl Grey, then Her Majesty's Principal Secretary of State for the Colonies, in his Despatch of 27th January, 1851, to the Right Honorable the Earl of Elgin and Kincardine, that the question whether the existing arrangement "is to be maintained or altered is one so exclusively affecting the People of Canada, that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs to regulate all matters concerning the domestic interests of the Province;" the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Dumoulin, Egan, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, LeBlanc, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Rolph, Attorney General Richards, Rose, Sanborn, Short, Sicotte, Taché, Terrill, Tessier, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(55.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Stuart, Viger, Willson, and Wright of West Riding of YORK.--(21.)

So it was resolved in the Affirmative.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being put, That while the People of Canada are devotedly attached to Her Majesty's Person and Government, and most anxious to maintain inviolate the connexion which binds them to the great Empire over which She rules, yet this House is bound by a high sense of duty to inform Her Majesty, that the refusal, on the part of the Imperial Parliament to comply with the just demand of the Representatives of the Canadian people, on a matter exclusively affecting their own interests, will be viewed as a violation of their Constitutional rights, and will lead to deep and wide-spread disaffection among Her Majesty's Canadian subjects; the House divided: and the names being called for, they were taken down, as in the last preceding division.

So it was resolved in the Affirmative.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being put, That this House is well aware that attempts have been made to induce Her Majesty's Imperial Ministers to believe that the present Representatives of the People of Canada entertain opinions on the subject of the repeal of the Clergy Reserves Act, different from those expressed by the late Parliament; the House divided: and the names being called for, they were taken down, as follows:--

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YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Attorney General Drummond, Dubord, Dumoulin, Egan, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, LeBlanc, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Patrick, Polette, Poulin, Rolph, Attorney General Richards, Rose, Sanborn, Short, Sicotte, Taché, Terrill, Tessier, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(53.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Clapham, Crawford, Dixon, Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Papineau, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Stuart, Viger, Willson, and Wright of West Riding of YORK.--(23.)

So it was resolved in the Affirmative.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being put, That this House confidently hopes that when Her Majesty's Ministers shall be convinced that the opinions of the People of Canada and of their Representatives on this subject are unaltered and unalterable, they will consent to give effect to the promise made by their predecessors; and this House is confirmed in this hope by the suggestion in the Despatch of the Right Honorable Sir John S. Pakington, that Her Majesty's Ministers are prepared to recommend amendments to the Imperial Clergy Reserves Act, with a view to satisfy the wishes of the Canadian people; the House divided: and the names being called for, they were taken down, as follows:--

YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Dumoulin, Egan, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, LeBlanc, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick,

Polette, Poulin, Rolph, Attorney General Richards, Rose, Sanborn, Short, Sicotte, Taché, Terrill, Tessier, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(55.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon,

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Gamble, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Smith of FRONTENAC, Stevenson, Stuart, Viger, Willson, and Wright of West Riding of YORK.--(21.)

So it was resolved in the Affirmative.

The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being put, That this House can scarcely doubt that, the principle of amending the present Act being admitted, Her Majesty's Ministers will yield to the strong feeling which pervades the Canadian people, that any new Legislative enactments regarding the Clergy Reserves should be framed by their own Representatives, instead of by the Imperial Parliament, which being necessarily unacquainted with the state of public opinion in Canada, cannot be expected to concur in a measure that will give permanent satisfaction to its inhabitants, the House divided: and the names being called for, they were taken down as in the last preceding division.

So it was resolved in the Affirmative.

When MR. INSP. GEN. HINCKS ... was moving the [seventh] resolution he ... altered it [by striking out the word "collision"] before it was put in the Speaker's hands.²⁵⁰

MR. J.A. MACDONALD of Kingston, however, evidently expected what Mr. Hincks' tactics would be, and was ready, with the book open before him, on his desk, to shew that the alteration was out of order.²⁵¹

MR. INSP. GEN. HINCKS insisted that it was not, and one or two other members of the ministry tried to make manifest their colleague's view of the case²⁵².

[This] was unavailing, as MR. J.S. MACDONALD the SPEAKER ruled that Mr. [J.A.] Macdonald was right.²⁵³

MR. EGAN came to the rescue, and moved that the word "collision" be struck out and "difference of opinion" be inserted in its place.²⁵⁴

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The Honorable Mr. Hincks moved, seconded by the Honorable Mr. Morin, and the Question being proposed, That this House desires to assure Her Majesty, that in thus giving expression to the public opinion of the Country, it is actuated by the strongest feelings of loyalty to Her Majesty, and by a sincere desire to prevent those lamentable consequences which must be the result of a collision between the Imperial and Provincial Parliaments, on a question on which very strong feelings are known to prevail among the People of this Province:

Mr. Egan moved in amendment to the Question, seconded by Mr. Clapham, That the word "collision" be left out, and the words "difference of opinion" inserted instead thereof;

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Burnham, Cameron, Cartier, Cauchon, Chapais, Solicitor General Chauveau, Christie of GASPE, Christie of WENTWORTH, Clapham, Crawford, Dixon, Attorney General Drummond, Dubord, Egan, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, LeBoutillier, Macdonald of KINGSTON, Mackenzie, Malloch, Marchildon, Mattice, McDougall, McLachlin, Merritt, Morin, Paige, Patrick, Polette, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Sanborn, Seymour, Shaw, Short, Sicotte, Smith of FRONTENAC, Stevenson, Stuart, Taché, Terrill, Varin, White, Willson, Wright of East Riding of YORK, Wright of West Riding of YORK, and Young.--(60.)

NAYS.

Messieurs Boulton, Brown, Chabot, Fergusson, LeBlanc, Lemieux, McDonald of CORNWALL, Mongenais, Papineau, Rose, Tessier, Turcotte, Valois, and Viger.--(14.)
So it was resolved in the Affirmative.

Then the main Question so amended, being put, That this House desires to assure Her Majesty, that in thus giving expression to the public opinion of the Country, it is actuated by the strongest feelings of loyalty to Her Majesty, and by a sincere desire to prevent those lamentable consequences which must be the result of a difference of opinion between the Imperial and Provincial Parliaments, on a question on which very strong feelings are known to prevail among the People of

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this Province; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Cameron, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of WENTWORTH, Clapham, Attorney General Drummond, Dubord, Egan, Fergusson, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Johnson, Lacoste, Langton, LaTerrière, Laurin, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Paige, Papineau, Patrick, Polette, Poulin, Rolph, Attorney General Richards, Rose, Sanborn, Short, Sicotte, Taché, Terrill, Turcotte, Valois, Varin, White, Wright of East Riding of YORK, and Young.--(52.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Christie of GASPE, Crawford, Dixon, LeBlanc, LeBoutillier, Macdonald of KINGSTON, Malloch, McDougall, Ridout, Robinson, Seymour, Shaw, Stevenson, Smith of FRONTENAC, Stuart, Tessier, Viger, Willson, and Wright of West Riding of YORK.--(22.)

So it was resolved in the Affirmative.

Resolved, That a Select Committee, composed of the Honorable Mr. Hincks, Mr. Cartier, Mr. Christie of Wentworth, Mr. Short, and Mr. Rose, be appointed to draw up an Address to Her Majesty, upon the said Resolutions.

The Honorable Mr. Hincks reported from the said Committee, That they had drawn up an Address accordingly; and the same was read, as followeth:--

To the Queen Most Excellent Majesty.

Most Gracious Sovereign.

We, Your Majesty's dutiful and loyal Subjects, the Commons of Canada, in Provincial Parliament assembled, beg leave most humbly and respectfully to assure Your Majesty that we deeply regret to learn from the Despatch of the Right Honorable Sir John S. Pakington, Your Majesty's Principal Secretary of State for the

Colonies, that Your Majesty's Imperial Ministers are not prepared to introduce a Bill to repeal the Imperial Act 3 & 4 Vic. cap. 78, intituled, "An Act to provide for the sale of the Clergy Reserves in the Province of Canada, and for the distribution of the proceeds thereof."

We entreat Your Majesty to believe, that whatever difference of opinion may exist among the People of Canada as to the best mode of disposing of the revenues derived from the Lands known as Clergy Reserves, the great mass of the People will ever maintain the principle recognized by the Right Honorable the Earl Gray, then Your Majesty's Principal Secretary of State for the Colonies, in his Despatch of 27th January, 1851, to the Right Honorable the Earl of Elgin and Kincardine, that the question whether the existing arrangement "is to be maintained or altered" is one so exclusively affecting the People of Canada, that its decision ought not to be withdrawn from the Provincial Legislature, to which it properly belongs to regulate all matters concerning the domestic interests of the Province."

We beg leave further most humbly to represent, that while the People of Canada are devotedly attached to Your Majesty's Person and Government, and most

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anxious to maintain inviolate the connexion which binds them to the great Empire over which Your Majesty rules, yet we are bound by a high sense of duty to inform Your Majesty, that the refusal on the part of the Imperial Parliament to comply with the just demand of the Representatives of the Canadian people on a matter exclusively affecting their own interests, will be viewed as a violation of their Constitutional rights, and will lead to deep and wide-spread dissatisfaction amongst Your Majesty's Canadian subjects.

We are well aware that attempts have been made to induce Your Majesty's Imperial Ministers to believe that the present Representatives of the People of Canada entertain opinions on the subject of the repeal of the Clergy Reserves Act, different from those expressed by the late Parliament.

But we confidently hope that when Your Majesty's Ministers shall be convinced that the opinions of the People, of Canada, and of their Representatives on this subject, are unaltered and unalterable, they will consent to give effect to the promise made by their predecessors; and we are confirmed in this hope by the suggestion in the Despatch of the Right Honorable Sir John S. Pakington, that Your Majesty's Ministers are prepared to recommend amendments to the Imperial Clergy Reserves Act, with a view to satisfy the wishes of the Canadian people.

We can scarcely doubt that the principle of amending the present Act being admitted, Your Majesty's Ministers will yield to the strong feeling which pervades the Canadian people, that any new Legislative enactments regarding the Clergy Reserves should be framed by their own Representatives, instead of by the Imperial Parliament, which being necessarily unacquainted with the state of public opinion in Canada, cannot be expected to concur in a measure that will give permanent satisfaction to its inhabitants.

And we desire to assure Your Majesty, that in thus giving expression to the public opinion of the Country, we are actuated by the strongest feelings of loyalty to Your Majesty, and by a sincere desire to prevent those lamentable consequences which must be the result of a difference of opinion between the Imperial and Provincial Parliaments on a question on which very strong feelings are known to prevail among the People of this Province.

And the said Address, being read a second time, was agreed to.

Ordered, That the said Address be engrossed.

Resolved, That an humble Address be presented to His Excellency the Governor General, informing His Excellency that this House hath voted an humble Address to

Her Majesty on the subject of the Clergy Reserves; and praying that His Excellency would be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

Ordered, That the said Address be engrossed.

Ordered, That the said Addresses be presented to His Excellency the Governor General by the whole House.

Ordered, That such Members of this House as are of the Honorable the Executive Council of this Province, do wait upon His Excellency the Governor General, to know His Excellency's pleasure, when he will be attended by this House with its Addresses.

The Honorable Mr. Hincks, one of Her Majesty's Executive Council, rose in his place, and acquainted Mr. Speaker and the House, that His Excellency the Governor General will receive this House with its Addresses on the subject of the Clergy Reserves, on Monday next, at Three o'clock, P.M., at the Government House.

Ordered, That the remaining Orders of the day be postponed until Monday next.

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Then, on motion of the Honorable Mr. Hincks, seconded by the Honorable Mr. Attorney General Drummond,

The House adjourned until Monday next. 255

APPENDIX: 17 SEPTEMBER 1852.

[QUESTION AND ANSWER RE: NAVIGATION OF THE ST. LAWRENCE.]

MR. ROBINSON [asked a question] 256.

MR. INSP. GEN. HINCKS dit que si M. Robinson persistait à demander que la chambre se formât en comité pour s'occuper d'une résolution relative à la navigation du St. Laurent, il proposerait la question préalable, le gouvernement n'ayant aucune correspondance à soumettre à ce sujet. Il exprima sa conviction que la réciprocité sera accordée, et tout fut abandonné.²⁵⁷

[QUESTION AND ANSWER RE: SEIGNEURIAL TENURE.]

MR. LAURIN [asked a question] 258.

MR. CHABOT a répondu à M. Laurin que le ministère était sur le point d'introduire un bill au sujet de la tenure seigneuriale.²⁵⁹

FOOTNOTES: 17 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 18, 20 September 1852, MONTREAL GAZETTE, 21 September 1852, PILOT, 21, 22 September 1852, QUEBEC GAZETTE, 22 September 1852, BRITISH COLONIST, 24 September 1852, HAMILTON SPECTATOR DAILY, 24, 25 September 1852 (which copied from MORNING CHRONICLE, 20 September 1852), HAMILTON SPECTATOR WEEKLY, 30 September 1852, NORTH AMERICAN SEMI-WEEKLY, 5 October 1852, NORTH AMERICAN, 7 October 1852, JOURNAL DE QUEBEC, 21, 23, 25 September 1852, EXAMINER, 6 October 1852, BATHURST COURIER, 8, 15 October 1852, and OTTAWA CITIZEN, 23 October 1852 (which copied from QUEBEC GAZETTE). The debate was also reported by: EXAMINER, 29 September 1852; GLOBE, 30 September 1852; and L'AVENIR, 22 September 1852. Commentaries appeared in: EXAMINER, 22 September 1852; BRITISH COLONIST, 24 September 1852 (in a separate account); NORTH AMERICAN SEMI-WEEKLY, 24 September 1852; and LA MINERVE, 21 September 1852.
2. QUEBEC GAZETTE, 22 September 1852.
3. IBID.
4. MORNING CHRONICLE, 18 September 1852.
5. QUEBEC GAZETTE, 22 September 1852.
6. MORNING CHRONICLE, 18 September 1852.
7. IBID.
8. IBID.
9. QUEBEC GAZETTE, 22 September 1852.
10. GLOBE, 30 September 1852.
11. QUEBEC GAZETTE, 22 September 1852.
12. GLOBE, 30 September 1852.
13. QUEBEC GAZETTE, 22 September 1852.
14. GLOBE, 30 September 1852.
15. QUEBEC GAZETTE, 22 September 1852.
16. GLOBE, 30 September 1852.
17. QUEBEC GAZETTE, 22 September 1852.
18. MORNING CHRONICLE, 18 September 1852.
19. QUEBEC GAZETTE, 22 September 1852.
20. GLOBE, 30 September 1852.
21. MORNING CHRONICLE, 18 September 1852.
22. QUEBEC GAZETTE, 22 September 1852.
23. MORNING CHRONICLE, 18 September 1852.
24. GLOBE, 30 September 1852.
25. MORNING CHRONICLE, 18 September 1852.
26. QUEBEC GAZETTE, 22 September 1852.
27. MORNING CHRONICLE, 18 September 1852.
28. QUEBEC GAZETTE, 30 September 1852.
29. GLOBE, 30 September 1852.
30. QUEBEC GAZETTE, 22 September 1852.
31. GLOBE, 30 September 1852.
32. QUEBEC GAZETTE, 22 September 1852.
33. GLOBE, 30 September 1852.
34. QUEBEC GAZETTE, 22 September 1852.
35. GLOBE, 30 September 1852.
36. QUEBEC GAZETTE, 22 September 1852.
37. MORNING CHRONICLE, 18 September 1852.
38. QUEBEC GAZETTE, 22 September 1852.

39. MORNING CHRONICLE, 18 September 1852.
40. QUEBEC GAZETTE, 22 September 1852.
41. GLOBE, 30 September 1852.
42. QUEBEC GAZETTE, 22 September 1852.
43. GLOBE, 30 September 1852.
44. MORNING CHRONICLE, 18 September 1852.
45. QUEBEC GAZETTE, 22 September 1852.
46. GLOBE, 30 September 1852.
47. QUEBEC GAZETTE, 22 September 1852.
48. GLOBE, 30 September 1852.
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50. GLOBE, 30 September 1852.
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54. MORNING CHRONICLE, 18 September 1852.
55. QUEBEC GAZETTE, 22 September 1852.
56. GLOBE, 30 September 1852.
57. QUEBEC GAZETTE, 22 September 1852.
58. GLOBE, 30 September 1852.
59. QUEBEC GAZETTE, 22 September 1852.
60. GLOBE, 30 September 1852.
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62. GLOBE, 30 September 1852.
63. QUEBEC GAZETTE, 22 September 1852.
64. GLOBE, 30 September 1852.
65. QUEBEC GAZETTE, 22 September 1852.
66. GLOBE, 30 September 1852.
67. QUEBEC GAZETTE, 22 September 1852.
68. GLOBE, 30 September 1852.
69. QUEBEC GAZETTE, 22 September 1852.
70. GLOBE, 30 September 1852.
71. IBID.
72. MORNING CHRONICLE, 18 September 1852.
73. GLOBE, 30 September 1852.
74. QUEBEC GAZETTE, 22 September 1852.
75. GLOBE, 30 September 1852.
76. MORNING CHRONICLE, 18 September 1852.
77. GLOBE, 30 September 1852.
78. MORNING CHRONICLE, 18 September 1852.
79. GLOBE, 30 September 1852.
80. QUEBEC GAZETTE, 22 September 1852.
81. GLOBE, 30 September 1852.
82. QUEBEC GAZETTE, 22 September 1852.
83. GLOBE, 30 September 1852.
84. QUEBEC GAZETTE, 22 September 1852.
85. MORNING CHRONICLE, 18 September 1852, attributed this quotation to
"Lord Locke."
86. MORNING CHRONICLE, 18 September 1852, identified the author of this sentiment
as "another philosopher."
87. QUEBEC GAZETTE, 22 September 1852.
88. GLOBE, 30 September 1852.

89. QUEBEC GAZETTE, 22 September 1852.
90. GLOBE, 30 September 1852.
91. QUEBEC GAZETTE, 22 September 1852.
92. GLOBE, 30 September 1852.
93. QUEBEC GAZETTE, 22 September 1852.
94. GLOBE, 30 September 1852.
95. QUEBEC GAZETTE, 22 September 1852.
96. GLOBE, 30 September 1852.
97. QUEBEC GAZETTE, 22 September 1852.
98. GLOBE, 30 September 1852.
99. QUEBEC GAZETTE, 22 September 1852.
100. GLOBE, 30 September 1852.
101. QUEBEC GAZETTE, 22 September 1852.
102. GLOBE, 30 September 1852.
103. QUEBEC GAZETTE, 22 September 1852.
104. IBID.
105. IBID.
106. GLOBE, 30 September 1852.
107. QUEBEC GAZETTE, 22 September 1852.
108. GLOBE, 30 September 1852.
109. QUEBEC GAZETTE, 22 September 1852.
110. NORTH AMERICAN SEMI-WEEKLY, 7 October 1852.
111. JOURNAL DE QUEBEC, 23 September 1852.
112. IBID.
113. IBID.
114. MORNING CHRONICLE, 20 September 1852.
115. IBID.
116. IBID.
117. JOURNAL DE QUEBEC, 23 September 1852. It should be noted that JOURNAL DE QUEBEC, 23 September 1852, reported that Mr. Chauveau said "mon intention n'était de ne pas parler." As this statement is a contradiction to what follows, the Editors have altered the word "n'était" to "était".
118. MORNING CHRONICLE, 20 September 1852.
119. JOURNAL DE QUEBEC, 23 September 1852.
120. MORNING CHRONICLE, 20 September 1852.
121. JOURNAL DE QUEBEC, 23 September 1852.
122. MORNING CHRONICLE, 20 September 1852.
123. JOURNAL DE QUEBEC, 23 September 1852.
124. IBID.
125. MORNING CHRONICLE, 20 September 1852.
126. JOURNAL DE QUEBEC, 23 September 1852.
127. MORNING CHRONICLE, 20 September 1852.
128. JOURNAL DE QUEBEC, 23 September 1852.
129. IBID.
130. IBID.
131. MORNING CHRONICLE, 20 September 1852.
132. JOURNAL DE QUEBEC, 23 September 1852.
133. MORNING CHRONICLE, 20 September 1852.
134. JOURNAL DE QUEBEC, 23 September 1852.
135. MORNING CHRONICLE, 20 September 1852.
136. JOURNAL DE QUEBEC, 23 September 1852.
137. IBID.
138. IBID.

139. IBID.
140. IBID.
141. MORNING CHRONICLE, 20 September 1852.
142. JOURNAL DE QUEBEC, 23 September 1852.
143. MORNING CHRONICLE, 20 September 1852.
144. JOURNAL DE QUEBEC, 23 September 1852.
145. MORNING CHRONICLE, 20 September 1852.
146. JOURNAL DE QUEBEC, 23 September 1852.
147. MORNING CHRONICLE, 20 September 1852.
148. JOURNAL DE QUEBEC, 23 September 1852.
149. MORNING CHRONICLE, 20 September 1852.
150. JOURNAL DE QUEBEC, 23 September 1852.
151. MORNING CHRONICLE, 20 September 1852.
152. JOURNAL DE QUEBEC, 23 September 1852.
153. IBID.
154. MORNING CHRONICLE, 20 September 1852.
155. JOURNAL DE QUEBEC, 23 September 1852.
156. MORNING CHRONICLE, 20 September 1852.
157. JOURNAL DE QUEBEC, 23 September 1852.
158. MORNING CHRONICLE, 20 September 1852.
159. JOURNAL DE QUEBEC, 23 September 1852.
160. MORNING CHRONICLE, 20 September 1852.
161. JOURNAL DE QUEBEC, 23 September 1852.
162. MORNING CHRONICLE, 20 September 1852.
163. JOURNAL DE QUEBEC, 23 September 1852.
164. IBID.
165. IBID.
166. MORNING CHRONICLE, 20 September 1852.
167. IBID., reported that Mr. Cauchon had described Mr. Christie as "the 'ghie' [sic] of the administration."
168. JOURNAL DE QUEBEC, 23 September 1852.
169. IBID.
170. IBID.
171. MORNING CHRONICLE, 20 September 1852.
172. JOURNAL DE QUEBEC, 23 September 1852.
173. IBID.
174. IBID.
175. MORNING CHRONICLE, 20 September 1852.
176. IBID.
177. JOURNAL DE QUEBEC, 25 September 1852.
178. IBID.
179. IBID.
180. IBID.
181. IBID.
182. IBID.
183. IBID.
184. IBID.
185. IBID.
186. MORNING CHRONICLE, 20 September 1852.
187. JOURNAL DE QUEBEC, 25 September 1852.
188. IBID.
189. IBID.
190. IBID.

191. IBID.
192. IBID.
193. IBID.
194. IBID.
195. IBID.
196. MORNING CHRONICLE, 20 September 1852.
197. GLOBE, 30 September 1852.
198. IBID.
199. IBID.
200. IBID.
201. IBID.
202. IBID.
203. IBID.
204. IBID.
205. IBID.
206. IBID.
207. IBID.
208. IBID.
209. MORNING CHRONICLE, 20 September 1852, reported that "Mr. Viger was entirely inaudible."
210. GLOBE, 30 September 1852.
211. QUEBEC GAZETTE, 22 September 1852.
212. MORNING CHRONICLE, 20 September 1852.
213. IBID.
214. GLOBE, 30 September 1852.
215. IBID.
216. IBID.
217. IBID.
218. MORNING CHRONICLE, 20 September 1852.
219. GLOBE, 30 September 1852.
220. MORNING CHRONICLE, 20 September 1852.
221. IBID.
222. GLOBE, 30 September 1852.
223. BRITISH COLONIST, 24 September 1852, commented as follows on the reaction of the House to Mr. Hincks' decision to strike the word "collision" from his resolutions: "At the eleventh hour, Mr. Hincks came to the conclusion, that it would be altogether more prudent to strike out the word 'collision' from the last resolution. It was whispered about the House, that Mr. Hincks intended to take this step, a couple of hours before he made his intention known; and he and one or two others of his confrères might be seen flitting about from seat to seat, evidently bargaining for the votes of those members who had expressed so much fear of the 'collision.' He was partly successful only, as the result shewed. It was late, being about midnight, when he rose to reply to the debate, and he spoke upwards of an hour. He commenced in a very subdued tone, and deeply lamented the personalities which had characterized the debate, and I am sure you will concur, that he might well do so. When he came to the trouble about the word 'collision,' nothing could exceed the merriment in the ranks of the opposition. He announced his willingness to strike the unfortunate word out, and laughter of a good hearty kind, and shouts of 'hear hear,' 'wise conclusion,' 'prudent conclusion,' 'a great improvement,' &c. &c., arose from all parts of the opposition side of the House. And Mr. Henry Smith,

with his usual facetiousness, capped the climax, by saying, 'substitute the word delusion in lieu thereof.' This was altogether too much,

'And even the ranks of Tuscany
Could scarce forbear to cheer,'

and to laugh, also, in an unusual manner. The Editor of the Chronicle says, 'the ironical cheers and laughter on this declaration being made, exceeded everything we have witnessed within the walls of Parliament.' The only person who did not laugh, that I noticed, was Mr. Hincks. He kept on speaking, in a very serious manner, and denied that he understood the word 'collision,' in the sense that gentlemen had interpreted it.... He was evidently humiliated in being forced to come down, and annoyed at being so heartily laughed at."

- 224. GLOBE, 30 September 1852.
- 225. MORNING CHRONICLE, 20 September 1852.
- 226. IBID.
- 227. BRITISH COLONIST, 24 September 1852.
- 228. IBID.
- 229. MORNING CHRONICLE, 20 September 1852.
- 230. BRITISH COLONIST, 24 September 1852.
- 231. MORNING CHRONICLE, 20 September 1852.
- 232. GLOBE, 30 September 1852.
- 233. MORNING CHRONICLE, 20 September 1852, reported incorrectly that it was Mr. Rose, rather than Mr. Brown, who replied to Hincks' speech.
- 234. GLOBE, 30 September 1852.
- 235. IBID.
- 236. IBID.
- 237. IBID.
- 238. IBID.
- 239. IBID.
- 240. IBID.
- 241. IBID.
- 242. IBID.
- 243. IBID.
- 244. IBID.
- 245. IBID.
- 246. IBID.
- 247. IBID.
- 248. IBID.
- 249. IBID.
- 250. BRITISH COLONIST, 24 September 1852.
- 251. IBID.
- 252. IBID.
- 253. IBID.
- 254. IBID.
- 255. GLOBE, 30 September 1852, reported that "the House adjourned at 2 o'clock in the morning." JOURNAL DE QUEBEC, 25 September 1852, noted that: "La discussion sur les questions des réserves du clergé a occupé quatre séances de l'assemblée durant la semaine dernière, et a duré environ trente-deux heures. Elle a donné lieu à cinquante-cinq discours réguliers, et a été soutenue par trente-six députés." BRITISH COLONIST, 24 September 1852, commented: "The four days' debate was very wearisome, and every body was heartily tired of it. It has not raised the character of the

House, as it is admitted on all hands that there was more personal attack than argument in most of the speeches delivered."

256. LA MINERVE, 28 September 1852.

257. IBID.

258. IBID.

259. IBID.

MONDAY, 20 SEPTEMBER 1852.

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MR. SPEAKER informed the House, That the Serjeant-at-Arms had (with his approbation,) appointed William C. Burrage, Esquire, to act as his Deputy during the period of his leave of absence.

At the hour appointed, Mr. Speaker and the House attended upon His Excellency the Governor General with their Addresses of Friday last, to Her Majesty and to His Excellency, on the subject of the Clergy Reserves.

And being returned;

Mr. Speaker reported, That the House had attended upon His Excellency with their Address to Her Majesty on the subject of the Clergy Reserves, and their Address to His Excellency praying that he would be pleased to transmit the same to Her Majesty's Principal Secretary of State for the Colonies to be laid at the foot of the Throne; to which His Excellency was pleased to make the following Answer:--

Gentlemen of the Legislative Assembly,

I shall not fail to transmit your Address to Her Majesty's Secretary of State, in order that it may be laid at the foot of the Throne for Her Majesty's Gracious consideration.

The following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Merritt,--The Petition of Mrs. A. Simmerman and other ladies of Beamsville and its vicinity; the Petition of Kezia Kilborn and other ladies of Beamsville and its vicinity; the Petition of J.B. Osborne, Esquire, and others, of Beamsville and its vicinity; the Petition of C. Yale and others, of the County of Lincoln; the Petition of Joseph Dobbin and others, of the County of Welland; and the Petition of Aaron Beam and others, of the Township of Bertie.

By Mr. Boulton,--The Petition of Neil Cameron McIntyre, of the City of Toronto.

By Mr. Langton,--The Petition of the Town Council of the Town of Peterborough; and the Petition of G. Benjamin, Esquire, and others, of Belleville, in the County of Hastings, and of Peterborough.

By Mr. Christie of Wentworth,--The Petition of Daniel Kribs and others, of the Village of Elora and vicinity; the Petition of John Smith and others, of the Village of Paris; the Petition of Samuel B. Markle and others, of the Township of Beverley; the Petition of Robert Whale and others, of the Township of Burford; the Petition of Aaron R. Shauffee and others, of Blenheim and its vicinity; and the Petition of Charles Kitchen and others, of the Township of Dumfries.

By the Honorable Mr. Young,--The Petition of the President and Members of the Royal Institution for the advancement of Learning, Governors of McGill College; and the Petition of E. McLennan and others, the Board of Directors of the Montreal Mercantile Library Association.

By Mr. White,--The Petition of Robert Spence, Esquire, Chairman, and H.R. O'Reilly, Secretary, on behalf of a Public Meeting of the Inhabitants of the United Counties of Wentworth and Halton; and the Petition of Peter Fisher

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and others, the Board of Directors of the Nelson and Nassagaweya Road Company.

By Mr. Terrill,--The Petition of Alexander Kilborn and others, Stockholders in the St. Lawrence and Atlantic Railroad Company.

By Mr. Johnson,--The Petition of Peter Friel, Esquire, Chairman, on behalf of the Magistrates of the United Counties of Prescott and Russell, in General Quarter Sessions of the Peace assembled.

By the Honorable Mr. Attorney General Richards,--The Petition of David Coleman and others, of the Township of Haldimand; the Petition of Arza Parish and others, of Canada West; and the Petition of H. E. McDonald and others, of the Township of Elizabethtown.

By Mr. Wright of the East Riding of York,--The Petition of Catharine Lees and others, of the Township of Pickering.

By Mr. Sanborn,--The Petition of Benjamin Lebourveau and others, of the County of Sherbrooke.

By Mr. Fournier,--The Petition of the Reverend of J.E. Cecil and others, of the Parish of Cap St. Ignace, County of L'Islet.

By Mr. Lemieux,--The Petition of Olivier Fiset, President, and others, Officers, on behalf of the Quebec Benevolent Society; and the Petition of Grégoire Darveau, President, and others, Officers, of the Quebec Friendly Society.

By Mr. Stuart,--The Petition of James Motz, Esquire, of the City of Quebec; two Petitions of the Mayor and Councillors of the City of Quebec; and the Petition of J. Douglas, Esquire, and others, of the City of Quebec.

By Mr. LeBlanc,--The Petition of J. Keith and others, of the County of Beauharnois; the Petition of the Municipal Council of the County of Beauharnois; the Petition of the Reverend J. Poirier and others, of the Parish of St. Anicet, County of Beauharnois; the Petition of Ignace Plamondon and others settled along the front of Hungry Bay, in the Townships of Godmanchester and Dundee; the Petition of the Municipality Number two of the County of Beauharnois; the Petition of the Reverend D. Charland and others, School Commissioners of the Municipality of St. Clément, County of Beauharnois; and the Petition of R. B. Somerville, Esquire, and others, of the County of Beauharnois.

By Mr. Chapais,--The Petition of Joseph Robitaille, of the Parish of St. Paschal de Kamouraska, Esquire.

Pursuant to the Order of the day, the following Petitions were read:--

Of W. Brough and others, of the Village of Gananoque; of Thomas Cook and others, of the Township of Marysburgh; of A. C. Buck and others, of the County of Haldimand; of the Reverend E. White and others, of the Town of Port Sarnia; of Mrs. A. H. Reid and others, females, residing in the County of Prince Edward; of John S. Hall and others, members of the Independent Order of Rechabites; of Robert Wyllie and others, of Ayr and its vicinity; of H. R. O'Reilly and others, of the County of Halton; of William Ferguson and others, of the Counties of Prescott and Russell; of the Municipality of the Township of North Dorchester; of David Christie, Esquire, and others, of the United Townships of Lanark and Darling; of Joseph Deacon and others, of the Counties of Lanark and Renfrew; of James McArdell and others, of the City of Kingston; of John Stevenson and others, of the Counties of Lenox and Addington; of John Reynolds and others, of the County of Hastings; of Jacob Baltzer and others, of the County of Essex; and of James Gage and others, of the City of Hamilton; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of Duncan Macdonald and others, Members of the Academy of St. John's; praying for aid in behalf thereof.

Of the Honorable George Pemberton and others, of the City and neighbourhood

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of Quebec; praying for the passing of an Act to authorize the Trustees of the Quebec Turnpike Roads to procure lands and open and macadamize a cross Road from the Grande Allée and St. Foy Roads to the Little River or Lorette Roads, and that the Belvedere and Sauvageau Hill Roads be placed under the control of the said Trustees.

Of A. Polette, Esquire, President, and others, Members of the Mechanics' Institute of Three Rivers; praying for aid in behalf thereof.

Of the Town Council of the Town of St. Hyacinthe; praying for certain alterations in the limits of the said town.

Of W. G. Cook and others, Trustees of Charleston Academy; praying for aid in behalf thereof.

Of William McAlpine, Chairman, and James Menerey, Secretary, on behalf of a Meeting of the Inhabitants of the Township of Warwick, County of Lambton; praying for the disposal of the Clergy Reserves, and the abolition of the Rectories, and the appropriation of the proceeds thereof to purposes of general Education.

Of the Reverend William S. Ball and others, the Congregations of Woodstock in connection with the Presbyterian Church of Canada; of the Municipality of the United Townships of Camden and Zone; of the Reverend Duncan Morrison, Minister, and others, the Congregation of Beckwith in connection with the Church of Scotland; and of John Bell, Junior, and others, of Balinahynch; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of James Stevenson and others, of Portage-du-Fort, on the River Ottawa; of Edward Ferrall and others, of the Township of Horton, County of Renfrew; of William Edwards, Esquire, and others, of the Township of Clarence, County of Russell; of Peter Morris and others, of the Township of McNab, County of Renfrew; and of Archibald Petrie and others, of the Township of Cumberland, County of Russell; praying for the construction of a Canal of dimensions similar to the St. Lawrence Canals, to connect the waters of the River St. Lawrence above the Village of Caughnawaga with those of Lake Champlain.

of Sister Lacroix, Superior, and others, Sisters of the Hôtel-Dieu Nunnery Hospital, and others, Citizens of Kingston; praying aid in behalf of the said Hospital.

Of the Reverend R. R. Burrage, of the City of Quebec; praying indemnity for certain losses sustained by him in behalf of Education in the said City.

Of Baptiste Deroche and others, of St. John's Suburbs, City of Quebec; praying for the passing of an Act to amend the Act incorporating the said City, by annulling the power of the Corporation thereof to make By-Laws prohibiting the construction of wooden buildings therein.

Of J. Mills and others, of a certain part of the Gore of Camden; praying that any application for uniting that part of the said Gore of Camden lying north of the line between Lots numbers 15 and 16 thereof, may not be granted.

of Amable Dion and others, of the Township of Acton; praying that the said Township with certain others may be erected into a separate Municipality.

Of J. G. Bowes, Esquire, and others, of the City of Toronto, and others; praying for the passing of an Act to incorporate certain persons for the construction of a Railway from Toronto to Kingston, and thence to Montreal, under the name of the Grand Trunk Railway Company of Canada.

Of the Orphan's Home and Female Aid Society of Toronto; praying for certain amendments to the Act incorporating the said Society.

Of the Municipality of the Township of Montague; praying that the Law

relating to the resurvey of disputed boundaries of lands may be so amended as to facilitate such surveys, and the establishment of correct limits.

Of the Municipal Council of the United Counties of Prescott and Russell; praying that the Jurors' Acts of 13 & 14 and 14 & 15 Vic. may be repealed, or so amended as to lessen the expenses thereof.

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Of the Reverend H. Routier and others, School Commissioners of the Municipality of St. Louis de Kamouraska; praying aid to complete and furnish a Convent for School purposes in the said Municipality.

Of the Reverend E. Quertier and others, of St. Paschal, St. Denis, and other Parishes; praying aid to extend the St. Denis Road to the Province Line.

Ordered, That the Petition of William S. Childs and others, of the City of Montreal; the Petition of the Corporation of the Pilots for the Harbour of Quebec; the Petition of the Orphan's Home and Female Aid Society of Toronto; and the Petition of the Carouge Pier and Wharf Company, be referred to the Standing Committee on Standing Orders.

Resolved, That the Petition of Julien Chabot and others, of the Parish of St. Joseph de la Pointe Levy, and others, be referred to a Select Committee, composed of Mr. Lemieux, the Honorable Mr. Chabot, Mr. Lacoste, Mr. Fortier, and Mr. Laurin, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Ninth Report of the said Committee; which was read, as followeth:--

Your Committee have examined the Petitions of A. Jeffry and others,--of the Toronto and Guelph Railway Company,--of the Mayor and Corporation of the Town of Dundas, (with those of the Desjardins Canal Company, and James Coleman and others, in reference to the same application,) and they find that sufficient Notice has been given in each case.

After¹ the routine business was disposed of, MR. YOUNG asked permission to make some explanations personal to himself, which being granted, he proceeded to say, that he begged to state to the House, that on Saturday Evening last, he had tendered to His Excellency the Governor General his appointment as Executive Councillor and his office of Chief Commissioner of Public Works, and that the same had been accepted. He stated also that he had His Excellency the Governor General's gracious permission to make any explanations to the House as to the causes which have led to his resignation. Early in last Oct. when actively engaged in business he was called upon by his Honble. friend the Provincial Secretary, and very unexpectedly offered a seat in the Cabinet, when about being formed, as Chief Commissioner of Public Works. This offer he promptly declined, stating that the sacrifice to him was too great;--but, on its being mentioned, that he had always taken so deep an interest in public improvements, and had given much attention to public matters, and that an opportunity would be thus afforded him of better carrying out his views he agreed to consider the matter, and having come to the conclusion that he might be of some service to the country, he concluded to accept the offer after ascertaining who were the parties composing the Cabinet, whose views on general subjects being known to him, he was satisfied on finding that all were free and that no pledges, as he understood were given. From that time up to the 13th inst. the utmost harmony prevailed in the Cabinet, on the various questions of policy submitted.--At that time the future commercial policy of the country was discussed and a memorandum embracing that policy brought

forward by the Inspector General, on Saturday, which having received the sanction of His Excellency the Governor General—he at once tendered his resignation in the following terms:—

Quebec, 18th Sept., 1852.

SIR,—The memorandum of the Inspector General, on the future commercial policy of the country, and the adoption of that policy by the government, places me in the unavoidable position of considering how far I can, under the circumstances, retain my relation to the Governor General as one of his advisers.

I understand it is the intention of the government to pursue towards the United States a retaliatory policy, which is to be carried out, first, by charging a higher toll on American than on Canadian vessels and their cargoes, in passing through the Welland Canal; Secondly by levying a higher rate of duty on Sugar, Molasses, Salt, Tea, Cotton and Woollen Goods, and on Iron, Hardware, Leather, Glass, and Paper Manufactures, than the same articles will be chargeable with, if imported by the Gulf of the St. Lawrence. This policy delays for an indefinite period, the making free the Navigation of the St. Lawrence between Quebec and Montreal to American vessels. It also involves the like delay in the commencement of the Canal to connect the St. Lawrence with Lake Champlain. By charging a higher rate of toll to American vessels and cargoes, the American Trade will be forced from Oswego and Ogdensburgh to Buffalo, and the Canals and Railroads connected with it. Whatever might be the advantages of reciprocity in trade with the United States, far greater advantages would result to Canadian commerce, by opening the St. Lawrence, abolishing agricultural duties, arranging for a reciprocal trade with the British West Indies, and constructing a Canal to connect the St. Lawrence with Lake Champlain, than could result from any retaliatory policy, against the United States. Such a retaliatory policy cannot fail to be understood by the American people, and the establishment of an aggressive commercial policy between the two countries, while it may be productive of other immediate and remote evils, will in my opinion be subversive of the vast increase of Trade which would follow the policy I have recommended.

I entered the government as an avowed friend of Free Trade. My views have been the result of some years of action and reflection and were well known to my colleagues on entering the ministry. To abandon Free Trade in order to carry out a retaliatory policy, which I am satisfied will in the end be most injurious, is a sacrifice of principle, I am not prepared to make, and a sacrifice which had I supposed it would have been required from me, would, without hesitation, have prevented me becoming a member of the Government.

Under these circumstances I have the honor to request you to tender my resignation to His Excellency the Governor General, of my office as Executive Councillor, and also that of Chief Commissioner of Public Works.

I have the honor to be,

Sir,

Your most obed't. serv't.

JOHN YOUNG.

To Hon. A. N. Morin,
Prov. Secy.
&c., &c., &c.

In addition to this letter, Mr. Young read a note of the acceptance of his resignation of the office of Executive Councillor & Chief Commissioner of Public

Works.--Mr. Young went on to say that from the correspondence, it would be seen, that the government had determined on adopting a retaliatory policy against the United States, in consequence of the United States not having granted Reciprocity. He believed that the advantages to Canada of this ... measure of Reciprocity were very much over-rated, & as much misapprehension on the subject existed, he would state what were the whole exports of Canada in 1851. They consisted of

The produce of the Mines			£	15,033	15	0
do.	do.	Seas,		10,946	1	10
do.	do.	Forest,		320,845	15	11
do.	do.	Agriculture,				
say animals and their products,				141,471	12	9
do.	do.	Agriculture,				
say vegetable food,				477,307	12	7
do.	do.	Seeds, Tobacco,				
and Balsam,				8,947	0	9
do.	do.	Manufactures,		11,266	0	3
do.	do.	Other articles,		32,008	4	2
Total exports,				£1,017,886	3	3

These exports from Canada were of two kinds, first goods, which are sold in bond in U.S. & do not pay any duty, & next of goods which do pay duty. Of the former were wheat and flour, which articles, in bond sold as high in New York, as American flour or wheat, of the same quality--this he proved by referring to the New York Prices Current of 1st, 5th, and 11th Sept., and stated that such was the invariable result, within a very few cents for extra charges in [a] bonded warehouse. He could not see why it should be otherwise, both the United States and Canada had a surplus of wheat and flour. The price of this surplus in both countries is determined by the price at which it sells in the market to which it was sent, less the charge of transport &c., and as there was no impediment in taking wheat in bond through the United States from Toronto, more than there was from Oswego, he could not see why the same quality of flour and wheat should not sell in New York at the same price, both being ruled by value for export, nor why the price of the same quality of wheat in Toronto should not sell as high as in Oswego, minus the freight to Oswego. The value of flour and wheat exported in 1851 was £404,032, 19s 7d, leaving £603,853, 3s 8d, which probably paid duty in the states,--of this amount there was £320,845, 15s 11d value of timber. Now the American people were obliged to buy our timber, they had not enough of their own, and whether they put 20, 30, or 50 per cent duty, the effect was to diminish consumption, but to increase the price to themselves, and raise the value of pine land in the states. Suppose the price of 1000 feet of board in Canada to be \$10, freight to Albany \$1, duty \$2, the Americans had to pay \$13 for what they could get at \$11 but for the duty, and in either case the Canadian got the \$10.00. --As a general principle the consumer paid the duty, and he had no hesitation in saying that Canada had lost enormously, by delay, in her attempts to obtain reciprocity when her true policy was & is to give up begging, and pursue a course dictated by her own interests, to open the St. Lawrence, free to all nations,

abolish the useless agricultural duties, construct a canal to connect Lake Champlain with the St. Lawrence, arrange by Bill for reciprocal trade with the British West Indies and Newfoundland, and encourage manufactures by admitting free of duty, all articles required in their production. This would be a Canadian policy--and should be pursued whether the Americans give us reciprocity or not. Instead of doing this, however, the government propose to charge a higher rate of toll on American vessels and cargo, passing the Welland Canal, than will be charged to Canadian vessels, and on imports into Canada inland from the United States, they propose to levy a duty of $12\frac{1}{2}$ per cent more on sugar, salt and molasses, $7\frac{1}{2}$ per cent on teas, and 5 per cent on cotton and woollen goods and on leather, glass, paper, iron, and hardware--this avowedly was a retaliatory policy against the United States for not granting reciprocity, the advantages of which measure, are much exaggerated.--Now the United States would scarcely feel the effects of this blow of the Inspector General--the parties who will feel it were the merchants of Ogdensburg and Oswego, our best customers, to whose enterprise, Canada is indebted for the present success of the Welland Canal. Again, a blow was to be struck at the United States by placing heavier taxes on imports inland, than by the river St. Lawrence, this tax would be paid by the consumer, and would not affect the producer, but would fall almost exclusively on the farmers of Upper Canada. What have they done to deserve this? The arrival last year of imports of the articles referred to, in 1851--were

		Proposed duty.
Mus. Sugars,	£ 60,637 18 7	$12\frac{1}{2}$ [per] ct.
Refined do.	8,585 11 8	$12\frac{1}{2}$ "
Tea,	237,490 15 10	$7\frac{1}{2}$ "
Salt,	21,879 7 2	$12\frac{1}{2}$ "
Molasses,	6,018 8 7	$12\frac{1}{2}$ "
Cotton Goods,	234,680 0 10	5 "
Leather,	39,927 7 10	5 "
Glass,	9,873 13 10	5 "
Paper,	12,077 12 1	5 "
	<hr/>	
	£631,170 6 5	

If the import of these articles continued to be as great this year as last, the tax paid by Upper C. would be over £45,000 per annum, but admitting that much of the sugar, tea, and salt may come by the St. Lawrence, still there is a large amount of American manufactured goods which could not be obtained in England, goods that are particularly adapted to the country, which must be brought by the farmer, in the United States, and on all such that could not be elsewhere obtained, it was evident that the proposed duty would act as a direct tax. The policy to be pursued was, to diminish our taxation not to increase it. It should be remembered that our public works here cost us £4,500,000, and that the annual interest which is paid on this debt amounts to £225,000, les [sic] about £60,000 collected, leaving a sum of 160,000 to be made up every year by duties on imports. He thought it was the duty of the government and of this House, to take measures to make these public works pay. The throwing open [of] the St. Lawrence,

independent of the Americans, to the ships of all nations would give an enormous impulse to trade on the St. Lawrence. The western people, about 7 millions, would then have an equal interest in the development of the St. Lawrence route as ourselves. The construction of the Champlain Canal would give us the cheapest and best route from the west to New York and New England, and would in his opinion rapidly augment our revenues on our canals, and gradually reduce duties on imports.

Mr. Young here read a long extract from a speech of Sir Robert Peel, in which we understood him to contend, that it was the true policy not to pursue retaliatory measures and not "to punish other countries for the wrong they do us in continuing high duties, upon importation of our products. He stated that these views may not prevail with the House nor in the country, but the time was not distant when they would prevail. The step he had taken had been done under a sense of duty to the country at large. He felt the deepest possible interest in the progress of the country. He knew its resources and its capabilities and it was because he thought a most fatal blow was about to be struck at its best interests, that he had resigned.²

MR. INSP. GEN. HINCKS.--I do not rise to make any objections to the statement made by my friend the member for the city of Montreal; but to offer a few remarks, as I think I am bound to in justification of the policy adopted by the Government. The member for Montreal has stated more than once, strongly and emphatically, in the course of his remarks, that the advantages to be anticipated from reciprocity of trade with the United States have been much overrated, and that it was the better policy to abandon all further attempts to obtain it. Now the entire difference between myself and my other colleagues and the hon. member for Montreal has arisen from the degree of importance which we respectively attach to the admission of the products of this country into the ports of the United States. I am firmly persuaded that it is of the greatest importance to this country, and more particularly to Upper Canada, that that question should be settled on a satisfactory basis, and that we should obtain reciprocal free trade. The hon. gentleman dwelt with much force on this subject, and endeavoured to establish the position, that reciprocity would be of very little importance, as far as it would affect the prices of wheat and flour at New York. Well, in the first place I am not prepared to admit the correctness of the gentleman's statement--that the price of Canadian wheat in the New York market is the same as the price of American wheat of equal quality. I hold in my hands a memorandum delivered to me within a few moments by a gentleman well acquainted with the trade, who confirms my view, and informs me that a quantity of Canadian wheat has been sold recently on the American frontier at 77 cents in bond, while American wheat of the same quality sold at 91 cents. However, what I wish the House to understand is, that wheat and flour are not the sole exports of Canada, but that we have a large surplus produce of a kind which will not bear transportation to a distance, and therefore naturally seeks a market in the United States, and that the rapid extension of railroad communication in the United States had the effect of causing a large demand in Canada for this farmers' produce for the supply of their cities. I wish the House to consider that wheat and flour are not our only exports; as the member for the City of Montreal has remarked, our export of lumber last year was large--upwards of £200,000; and then there was an export of considerably over £100,000 worth of cattle and animals of various kinds; and it is exactly that class of produce on which the whole duty comes out of the pocket of the Canadian agriculturist. Of that I am fully persuaded. (Hear, hear.)

In addition, we export a large quantity of course grains, besides butter, and various other products of the farm, on every article the American duty is charged; it is manifest that if the Canadian producer were relieved from the payment of this duty it would be much to his advantage; while, at the same time the quantity imported from Canada into the United States is so small when compared with the enormous consumption by the population of the Eastern States, that if the American duty were repealed to-morrow, it would not affect the market prices to any degree worthy of notice. The Trade Returns for the past year show that we paid \$300,000 on duties on produce sent to the United States. I admit that, with regard to wheat and flour the duty is not always exacted, particularly when a demand for export exists in the United States; but sometimes it will happen; and, under the free-trade policy of England, it may frequently happen, that the Eastern States offer the best market for the Canadian agriculturist. There is another view of this case; the Canadian flour is of a very superior description, and it is an object of the greatest importance to us to obtain the remission of the American duty, so as to be enabled to enter the home market, and obtain the same prices as are obtained for Genesee for domestic consumption, and not to be restricted as at present to the scale of prices fixed by the demand for export. Viewing the question in that light, it must be admitted that it is the clear interest of the people of Canada to obtain reciprocity of trade with the United States. I entirely differ on that point with the member for Montreal. That being the case, the next question is--whether the course that the Government proposes to adopt is one calculated to procure reciprocity. Now, the hon. gentleman has referred to his own well known views on free-trade, and his inducements to accept office in the Cabinet in October last. I was willing to admit that my views are the same as those which the hon. gentleman entertains on the general question of free-trade; that we both are of opinion that it would be decidedly advantageous to have a general system of free-trade established; but I dissent entirely from the views expressed by Sir Robert Peel, to whom the gentleman has made reference, as to the expediency of endeavouring to obtain concessions from foreign powers previous to adopting a system of trade by which those powers obtain a great advantage over us. (Hear, hear.) I believe that if Sir Robert Peel, at the time he repealed the Corn Laws, had taken the slightest trouble, even if he had written one despatch to the British Ministers at Washington, he could have obtained for our products free admission into the United States (hear, hear); and if we were to go back to the time when we removed the differential duties, ranging from 7 to 15 per cent. ad valorem imposed on American manufactures imported into this Province, there is not a member of this House who would say that it is expedient to repeal those duties without obtaining accessions in return. (Hear, hear.) Well, what I want is, to induce the House to retrace its steps. We have made concessions in favour of the Americans without receiving any returns; and I for one, am ready to retrace our steps; and I am prepared to prove that the taxation of the people will not be increased by the course I recommend. I propose that we shall adopt a policy, the effect of which will be to surrender a revenue amounting in the aggregate from duties in various kinds to be repealed to nearly £80,000--the sum will be rather over £75,000. It is true that I will recommend the imposition of a duty of 5 per cent. ad valorem on certain articles and manufactures imported from the United States the effect of which will be to produce a revenue of £28,000; but I believe that if the Government were to come down with a naked proposition for the reduction of the existing import duties on Tea, Sugars, and Molasses, and asking in return that the House should consent to a duty of 5 per cent. on certain manufactured articles there

would not be a word of objection. The objection is now raised, because, in arranging our duties we propose to give some advantages to the St. Lawrence route. Now, what are the articles to which we propose to give the advantage? Sugars and molasses. And I hold that these articles can be imported as cheaply by the St. Lawrence route as by way of the States; consequently there will be no increase of price to the consumer. The proposition we shall make with regard to sugar--for that, after all, is the principal article, is to reduce the existing duty of 9s. per cwt., with $12\frac{1}{2}$ per cent. ad valorem,--and I suppose that gentlemen are aware that not merely have the Boards of Trade of Quebec and Montreal asked for a reduction of this duty, but that there is a general demand for it,--our proposition is to reduce the duty to 7s. per cwt. when imported by the St. Lawrence; and 7s. per cwt., with $12\frac{1}{2}$ per cent. ad valorem, when imported through the United States. We also propose to reduce the duty on tea to 1d., and five per cent. ad valorem, when imported by the St. Lawrence; and 1d., and $12\frac{1}{2}$ per cent. ad valorem, when imported through the United States. The duties on salt and molasses coming through the United States we propose shall be $12\frac{1}{2}$ per cent. ad valorem. The excise duties we propose to repeal will cause a loss to the revenue of about £75,000; and, in exchange, we will ask the House to consent to the enactment of those duties already specified. This policy I take to be the true Canadian policy; and in that respect I differ totally with my friend from the city of Montreal, who believes that the course he recommends is a Canadian policy. I am somewhat astonished at one of the propositions set forth broadly in the letter of my hon. friend, reiterated in his speech and cheered by the hon. member for Kent, as I can show most conclusively that it is consistent with the propositions which the Government intends to make, and utterly inconsistent with the position assumed by the hon. gentleman. I allude to reciprocity of trade with the West Indies. Now, what is the meaning of this term "reciprocity?" Does it not, in this instance, mean that we shall enter into a compact with the West Indies, by which they will bind themselves to take our flour at a lower rate of duty than that imposed on flour imported from the United States; and that we shall take their sugars and molasses at a lower rate of duty than is now imposed? Is not that the whole extent of the proposition? Is not that a Canadian policy? And if we adopt that policy and admit the sugars of the British West Indies at a lower rate of duty than is charged on Cuban or Brazilian Sugars, is it not opposed to the whole principles [sic] of Free Trade? Will it not give a protection to the British West Indies and virtually negative that principle of trade which says that every man should have the right to go to the cheapest market, free from all restrictions? Why precisely the principle that I contend for is advocated by the hon. gentleman, in opposition to his other views on trade. There are one or two points in the letter of resignation of the honourable member from which I entirely dissent. I entirely dissent from his opinion, that the policy which the Government propose to pursue is hostile to the opening of the St. Lawrence to American vessels; I also dissent from the opinion that it is hostile to the opening of the St. Lawrence and Champlain Canal; or that the policy of the Government has any bearing whatever on either of those measures.³ I wish the opinions of the Government to be clearly understood on this subject. There are a variety of routes by which western produce going to Europe, or to the Atlantic sea-board, arrives at its destination. At present there are no less than three channels of communication diverging from the St. Lawrence at Montreal--two in a state of completion, and another will be open soon after the Government policy takes effect--the St. Lawrence and Champlain road, connecting with the New York lines at Rouse's point; another known as the Champlain and New York road; and the Montreal and Portland

road, which is not yet opened through its entire extent. Now I wish the House to observe that the produce carried on these routes at this moment pays tolls on the Welland and St. Lawrence Canals; the St. Lawrence and Champlain road is now competing with the Ogdensburg and Oswego routes, and pays the tolls both on the Welland and St. Lawrence Canals, while the Ogdensburg and Oswego routes pay toll only on the Welland Canal. What we propose to do, is to impose a toll on all produce passing through the Welland Canal, sufficient to cover the tolls on the whole route. That will cause an increase of 2½d. per barrel on flour above what is at present charged on the Welland Canal. My hon. friend says the effect of that policy would be to throw all the trade back on Buffalo, but I do not believe that will be the effect. I do not believe that the trade will be turned from Oswego on account of a difference of 2½d. per barrel on flour; but I believe that the owners of vessels will be compelled to reduce their charges for freight. I think I am justified in saying this from the great variation that occurs in freight, varying in one season from 2d. to 4d. and even to 10d. a barrel, on flour between Buffalo and New York. I want gentlemen to observe that the cost of carrying a barrel of flour from Lake Erie to New York is the hire of the vessel and the tolls. It is, of course, the object of the owner of the vessel to keep the tolls at the minimum; and the freight at the maximum rate; consequently all the outside pressure has had a tendency to reduce the rates of toll. But if the toll should be increased, the forwarders will be compelled to bring down their charges for freight. I do not believe then that the effect of this policy will be to destroy our trade and throw it back on Buffalo; at all events, I believe that the object is worthy of some risk. I say that this policy will be successful. I know the deep responsibility of my position. I know that my political reputation is at stake, and will be irretrievably ruined if I should be mistaken; but I only ask from this House and this country that support which an American Statesman always receives from his countrymen in carrying out a policy of this kind.⁴

MR. BADGLEY thought that this was not the proper time⁵ [and] it was not his intention⁶ to enter into a discussion of the cause which have led to the secession ... from the government of⁷ his hon. colleague the member for Montreal.⁸ He was glad, however, that his honorable colleague in the representation for Montreal, had taken the course he has adopted upon a well defined principle.⁹ He must be permitted however to express his astonishment¹⁰ at the frank avowal made by the hon. gentleman, that¹¹ he did not accept office until he had first ascertained that not a single member of the Government was pledged to any particular line of policy. It must be equally astonishing to the House and to the country to learn from this honest avowal of the hon. gentleman that a number of persons would accept office and all the responsibilities without having determined on any clearly defined policy.¹² What would have been said or thought of a body of men taking office and its responsibilities without agreeing what their policy would be, what they would propose or oppose.¹³

MR. BOULTON reproached the Government for the want of policy of which they had just been convicted by Mr. Young's statement, and though he would not then support or oppose the Government policy, he could not help feeling that it would inflict severe taxation upon the people of Upper Canada, by forcing their trade in a particular direction, which was the most expensive route.¹⁴

MR. PAPINEAU said the House now had another proof that the ministry was formed by men who had no understanding among themselves, who knew not what they were going to do. He did not undervalue ... [reciprocity]; but the plan which the cabinet was on the eve of adopting must wound the pride of the Americans, and

interpose insuperable obstacles to the end they sought. Our trade with the Americans we could not do without, while their trade with Canada was of very little importance, and therefore, whatever we might do by conciliatory means, we were not to be intoxicated with pride, and to imagine because the amour propre of the Inspector General had been wounded that therefore we could ... [only make an] impression on the Americans by way of coercing them or compelling them. It was strange for a gentleman who was so great an economist, to treat the House with this near idea that more taxation was necessary. Taxation was an evil. Every one must understand that in this question the Inspector General was in contradiction with him if, to that degree, that formerly a strong advocate for free trade, he had wheeled quite round, and appeared to think everybody ought to follow him. The abolition of these differential duties was a wise one and was proposed by the Inspector General and reverting to the old policy was a proof that the country was forced to go with him whenever he changed his mind.¹⁵

Plusieurs membres de l'opposition se levèrent ensuite pour parler¹⁶.

[Following Mr. Young's explanation, the House resumed normal business.]

MR. BROWN¹⁷ rose to move an Address to His Excellency, for copies of all correspondence on the subject of a Royal Charter for Trinity College, Toronto; and, also, for copies of the documents referred to in the letter of the Church of England Bishop of Toronto, of 25th March, 1852, in the correspondence sent down to this House on the 7th instant. About a fortnight ago he had moved a similar address, and some of the correspondence was sent down by His Excellency, but the charter, the principal object in moving the address, was omitted.¹⁸

(173)

Mr. Brown moved, seconded by Mr. Rose, and the Question being put, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, copies of all Correspondence which may have passed between the Provincial and Imperial Governments on the subject of a Royal Charter for Trinity College, Toronto; and also, for copies of the documents referred to in the Letter of the Church of England Bishop of Toronto, of 25th March, 1852, forming part of the Correspondence sent down to this House on the 7th instant;

MR. INSP. GEN. HINCKS had told the gentleman before that there is no such document in the possession of the Government. A copy of the charter was in the hands of the Government previous to its transmission to England, but not since. When the charter came out from England, it did not pass through the hands of the Government. They did not even see it.¹⁹

MR. BROWN thought there should be some way of getting possession of this document. It is a subject of great importance; and one respecting which the House was entitled to receive further information from the Government. It would be in the recollection of hon. members that the authorities of Trinity College made an application to the last Parliament for an Act of Incorporation for that institution; much discussion followed and several clauses were stricken out of the original bill, and restrictions imposed on the institution. Well, it appears that, after this House decided what powers should be conferred on them,--this body appealed past the Provincial Parliament to the Government of Great Britain, and in that manner obtained the powers which the Provincial Parliament refused to grant.²⁰

MR. INSP. GEN. HINCKS.--No.²¹

MR. BROWN.--The Inspector General said "No." Well, he thought it was but right that the House should know what had been done. If the Inspector General denied his statement, he must know all the facts connected with the transaction; and he really thought that the House had a right to a copy of the document which was recommended by the Government to the Imperial authorities; and, also, to copies of the documents mentioned in the second part of the notice. He conceived that the Government might find some means of procuring these papers, and would, therefore, persist in his motion.²²

MR. INSP. GEN. HINCKS said that the member for Kent was certainly infatuated to suppose that the Government would recommend to the Imperial Parliament the insertion in the Charter of Trinity College of certain provisions which the Provincial Parliament refused at the last Session. It was evident that the member for Kent made that broad statement without knowing anything about the matter. He would inform the hon. member that the authorities of Trinity College only applied to England for those powers which this Parliament had not the power to confer--the power of conferring degrees, exactly similar to the power which has been granted to Queen's College and Victoria College. There is no provision of any kind whatever in that charter, inconsistent with the Act which passed this House; and it was perfectly understood at the time that an application would be made for a royal charter to obtain the power of granting degrees. He did not know what the hon. member meant by asking "for copies of all correspondence;" he believed that copies of all the correspondence in the possession of the Government had been sent down already.²³

MR. BROWN.--No.²⁴

MR. BOULTON.--Perhaps there is no other correspondence.²⁵

MR. BROWN.--Yes. There is an allusion to it in the letters of the Bishop of Toronto.²⁶

MR. INSP. GEN. HINCKS had already stated, most distinctly, that the Government had not the documents to which the member for Kent referred. The Government possesses no official knowledge whatever of the subject. He had had sent to him, by some correspondent, an uncorrected proof of the Charter, from which he inferred that it will soon be published. He could not see by what right the Government should be compelled to ask for a copy of the document; and he was unwilling to expose the Government to a refusal. He was unwilling to put it in the power of the Bishop of Toronto to give the Government a very sharp answer--declining to furnish a copy. It was impossible to anticipate that any demand would be made on the Government for a copy of the document; and therefore none was kept. As to the Charter sent out from England, he repeated again, that it did not pass through the hands of the Government. It was sent out direct to the Bishop of Toronto; and he had no doubt that the member for Kent could see it, if he chose to take the trouble, without applying through the House.²⁷

MR. BROWN would say, most distinctly, that if the Government had not a copy of the Charter in its possession, it ought to have. He alluded to the Charter which had been sent home, and recommended to the Imperial authority by the Government of this Province. It is a matter of the greatest importance; for if the British Government can establish institutions in this Province, with power refused to them by the Provincial Legislature, the privileges and independence of the Provincial Legislature are at stake. It was no answer to tell him that he might see a copy, if he chose to take the trouble; that was not his business. It was the business of the Government to furnish such documents, when applied for, and to justify itself before the country in the line of action it had taken.²⁸

MR. BOULTON was quite certain that the Bishop of Toronto and the authorities of Trinity College could have no objection to the publication of the correspondence, if it were in the possession of the Government. But if the Inspector General said that the Government had no such correspondence, he would vote against the resolution, as a matter of form; otherwise, he would support it.²⁹

MR. INSP. GEN. HINCKS thought it was a most extraordinary thing that hon. members could not understand him. Certainly he could not have the power of expressing himself clearly, or hon. members would have understood him to say, that the Government has no such correspondence as the hon. member for Kent alluded to. The views of the Government, and every paper of importance connected to this subject, were already in possession of the House.³⁰

MR. BROWN explained, that he was desirous of obtaining the correspondence alluded to in the letters of the Bishop.³¹

MR. BADGLEY thought the discussion ought to go no further, after the explanation made by the Inspector General. He should oppose the motion.³²

A call was made for the Yeas and Nays, and on a division, the motion was lost.³³

(173)

The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown and Fergusson.--(2.)

NAYS.

Messieurs Badgley, Boulton, Burnham, Cartier, Cauchon, Chabot, Chapais, Solicitor General Chauveau, Christie of GASPE, Clapham, Crawford, Dixon, Attorney General Drummond, Dumoulin, Fortier, Fournier, Gouin, Hartman, Hincks, Jobin, Langton, LaTerrière, Laurin, LeBlanc, LeBoutillier, McDonald of CORNWALL, Malloch, McDougall, Merritt, Morin, Papineau, Polette, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Rose, Sanborn, Seymour, Short, Sicotte, Smith of FRONTENAC, Stevenson, Stuart, Taché, Terrill, Tessier, Varin, Viger, White, Willson, Wright of East Riding of YORK, and Wright of West Riding of YORK.--(54.)
So it passed in the Negative.

(174)

On motion of Mr. Boulton, seconded by Mr. Dixon,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will cause to be laid before this House, a full, clear and detailed Statement of the estate, property, income, debts, and expenditure, and of all the pecuniary and temporal affairs of the Corporation of "The Ecclesiastics of the Seminary of St. Sulpice of Montreal," from the date of its incorporation to the first day of January last,--such Statement to embrace and exhibit each and every of its means of income, and the amount derivable therefrom and also the names and residence of all the recipients of any portion of the revenues thereof, and the specific amounts paid to each and every of its recipients; such Return to be as full and ample in all its details as possible, and to be attested by the authorities and common Seal of the said Corporation,--the said Return being authorized by the Ordinance of the Special Council incorporating the said Seminary, so far as contemplated by the Act of Incorporation.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive

Council of this Province.

Ordered, That Mr. Cartier have leave to bring in a Bill to incorporate La Congrégation des Hommes de Ville Marie, in the City of Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the 64th Rule of this House be suspended as regards the Petition of the President, Directors and Company of Port Burwell Harbour.

On motion of Mr. Laurin, seconded by Mr. Tessier,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, a copy of the Accounts rendered by the Quebec Turnpike Road Trustees from the date of their last Report to this date; also, copies of all documents and correspondence between the Executive and the said Trustees relative to the management of the said Roads, together with a copy of the minutes of their proceedings with reference to the execution of the works on the said Roads mentioned in the Act 12 Vic. cap. 115, and also those defined in the Act 14 & 15 Vic. cap. 132.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Fournier, seconded by Mr. Sanborn,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying him to cause the proper Officer to lay before this House, 1st. A Return of the number of Actions instituted, and the number adjudicated on before the Commissioners' Courts in Lower Canada, for the year past, if the Government has been able to procure the same, specifying at the same time in what County, Parish, or Township, such Actions were respectively instituted or adjudicated on, together with the number of Commissioners at present acting as such, in such Parish or Township: 2nd. Copies of the Tariff or Tariffs of the Circuit and Superior Courts and Court of Appeals respectively, as directed to be made by the Act 12 Vic. caps 38 and 40, before first January, 1851, and by what Judges such Tariff or Tariffs were signed, and a statement as to whether or not Tariffs have been separately made for certain Circuit or District Courts: 3rd. Copies of all Tariffs made up to this date for any of the said Courts, since the 1st January, 1851, if any such have been made, either amending the one existing previously or remodelling it entirely, and by what Judges they were

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signed either for Circuit or District Courts generally or individually: 4th. Copies of any Tariff or Tariffs made by virtue of the Act 14 & 15 Vic. cap. 95, and by what Judge or Judges such Tariffs were signed in the Judicial Districts respectively of Canada East.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Dumoulin, seconded by Mr. Polette,

Ordered, That the Petition of J. B. Pepin, President, and others, Trustees of the Corporation of the Common of the Seigniorie of St. Antoine de La Baie, be exempted from the operation of the 64th Rule of this House, in so far as it regards the prayer of the said Petition for an Act to define the rights of property in the said Common.

Ordered, That Mr. Fortier have leave to bring in a Bill to enforce the Registration of all Titles to lands in the Townships of Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the twenty-ninth instant.

Mr. Laurin moved, seconded by Mr. Fortier, and the Question being put, That the 64th and 68th Rules of this House be suspended as regards the Bill to regulate the business of Stevedore in the Port of Quebec; the House divided:--And it passed in the Negative.

On motion of Mr. Laurin, seconded by Mr. Fortier,

Resolved, That an humble Address be presented to His Excellency the Governor General praying His Excellency will cause to be laid before this House, by the proper Officer, the Report of the Inspector of Gaols for Lower Canada.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That during the absence only of Mr. Prince, Mr. Brown be added to the Select Committee appointed to enquire into and report upon the best means of remedying the difficulties which have arisen in several Counties of Canada West, from the informality of the By-Laws of the Municipal Councils imposing County rates.

Ordered, That Mr. Terrill have leave to bring in a Bill to amend the School Law of Lower Canada, and to repeal certain parts thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the twenty-ninth instant.

On motion of Mr. Stuart, seconded by Mr. Clapham,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House, all Documents and information respecting the practicability of forming a safe Dock and Harbour for the reception of Shipping arriving at the Port of Quebec, together with the Survey made under the direction of the Board of Works, of the River St. Charles, between the confluence of this River with the St. Lawrence at Quebec and the General Hospital, in pursuance of an Address of this House to the Governor General of the Province, on the 4th February, 1845; with copies of any references made by the Executive Government, on the 25th July, 1843, to the Inspector General of the Queen's Domain, respecting the mischief resulting and

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likely to result to the Harbour of Quebec from the system previously pursued in the granting of beach and deep water lots, with the Report and Map made under such reference, and copies of any other papers or documents shewing a line laid down beyond which no encroachment in any part of the Harbour should be suffered to exist, and any Rules adopted for the future guidance of the Public Departments in regard to encroachments existing or proposed within the Harbour, including the Coves and St. Charles River; and a Statement of any land which may remain in the hands of Government, and of any and what part of the same fit for public purposes, Civil, Military, or Naval, so that such reserves, if any should be thought advisable, may be distributively set down, and all danger of the future

alienations avoided; and generally all papers, maps, plans and documents respecting the improvement of the Harbour of Quebec for the reception of Shipping arriving at Quebec, and for the convenience of the trade of this Province.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

On motion of Mr. Sicotte, seconded by Mr. Varin,

Ordered, That it be an Instruction to the Standing Committee on Standing Orders to take into consideration, without a special reference, all Petitions for Private and Local Bills that may from time to time be received by this House, and to report in each case whether the provisions of the 64th and 65th Rules, with regard to the publication of Notices, have been complied with.

Ordered, That Mr. Seymour have leave to bring in a Bill to amend the Act therein mentioned for the protection of Indians in Upper Canada, by repealing the third Section thereof.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

MR. MERRITT³⁴ moved that the House do go into Committee of the whole, for the purpose of moving an address to His Excellency, in relation to the expediency of constructing a Canal to connect the St. Lawrence and Lake Champlain.³⁵

The motion was agreed to.³⁶

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On motion of the Honorable Mr. Merritt, seconded by Mr. White,

Ordered, That that part of the Report of the Commissioners of Public Works for the year 1851, relating to the opening of a Canal between the St. Lawrence and Lake Champlain, which was presented on the 1st September last, be now read. And the same being read;

Resolved, That this House will immediately resolve itself into a Committee on that part of the said Report, for the purpose of taking into consideration certain Resolutions in relation thereto.

The House accordingly resolved itself into the said Committee;

MR. MERRITT said he would merely call the attention of the House to the subject of the Resolution. In doing so, he took the earliest opportunity of expressing his great regret at the retirement of the Member for Montreal from the ministry, because on this subject, as on all others relative to the Water Works of Canada, they most cordially agreed. To understand the Resolution he proposed to move, he would premise, that there are two prominent points to be gained, and they are of the utmost importance to the communications of this country: one is, that by forming a connection between the St. Lawrence and Lake Champlain, the most favourable route for reaching New York is offered to Western trade to reach that centre of Northern and Western traffic, because it will be easy to carry a barrel of flour cheaper from any point on Lake Erie to New York, by that route, than through the Erie Canal; and for the same reason, a ton of imported goods can be carried back to Buffalo cheaper than by the Erie Canal. If the Committee believe that this is the fact, they are bound to support the resolution, and he would tell them why. By the construction of this Canal, you can send a barrel of flour from Lake Ontario to Beauharnois without passing a

single lock, and from the St. Lawrence to Lake Champlain through a Canal of only thirty miles in length; thence to Whitehall by the Lake, 150 miles, and from Whitehall you can reach the Hudson by 70 miles of navigable water, with an elevation of only 53 feet. Gentlemen may not have given the subject much attention, and therefore may not be acquainted with the remarkable fact, that the waters of Lake St. Francis are higher than those of the Hudson, and³⁷ if a canal were cut³⁸ the waters of Lake St. Francis would descend into the Hudson; and such a Canal, if capable of allowing a vessel carrying ten thousand barrels of flour to pass, would distance all competition, from the fact, that there will be only one transshipment, and the large size of the vessels employed would enable them to carry³⁹ produce ... most expeditiously and⁴⁰ cheaper than the American Canal boats. Now, it is well known that the State of New York raises a revenue of 22½ cents on every barrel of flour passing through the Erie Canal, in the shape of toll. It is also well known, or should be, that those tolls will enable the State to pay off her debt in 1866; that they have already established a sinking fund appropriation, \$1,300,000 a-year for the payment of that debt, and that that fund is beyond the reach of law--that is to say, no legislative body can reduce that fund, except [if] a new constitution is formed. Now what will be the effect on our communications? It is clear that if they pay off the State debt, and then take off the toll of 22½ per cent., it will divert the whole of the trade from the St. Lawrence, excepting the trade in such articles as we require for our own consumption. Beyond that, not a barrel of flour, or ton of goods, will pass through our Canals. But if, by constructing this Canal, you can secure a quicker, we would not say a shorter route, the revenue of the Province will be increased, and enable the Government to go on with its other canals. By diverting the trade through this channel, the State of New York will be prevented from raising such a revenue as to pay off its debt, and then reduce their tolls. It is an object of great importance, and he was surprised that it had not attracted the attention of Government before, for he felt persuaded, that if the Americans remove the tolls on down freight on their canals, it will be a long time before this Province will be enabled to compete with them. We have built our canals for the express purpose of drawing the trade of the West through them, but we have wholly failed in the attempt. Instead of drawing the trade of the West through our canals, they have even drawn away the greater part of the trade of this Province. That it has passed by and around us cannot be denied by any one. If proof is needed, look at the revenue derived by the State of New York from their canals--\$1,500,000, while we only obtain \$80,000, little more than is necessary to pay expenses, whereas, we ought to derive the same revenue, and will, by the canal. The people of Canada ought to understand this fact. They ought not to reiterate that they have the finest canals in the world, when those canals are doing literally nothing. It is not the fault of the canals that it is so. It is the result of bad management. It is from a neglect to make them what they should be. If the system of internal improvement had been thoroughly carried out, we should see a very different state of affairs. Owing to the want of attention to that point, the ocean freight to England is enormous, and that is one reason why we cannot successfully compete by the St. Lawrence. From New York to England a barrel of flour can be carried for 10d.; the freight from one of our ports to England is 2s. 6d. By counter-acting the canal policy of New York, by opening a cheap communication with the Hudson, we can obtain a share of those tolls which they now monopolize; for he laid it down as an indisputable fact, that if this canal will open up the quickest and cheapest route, we will obtain the greater part of the trade from East to

West, and \$3,500,000 toll. He would call attention to one observation of the Inspector General. The hon. member had said, that if this canal were cut, it would be a wise policy to collect the tolls on the Welland Canal. He would tell the hon. gentleman the effect of that policy. We are now ruinously competing with the Erie Canal, and if he raised the tolls on the Welland, it will have the effect of driving the rest of our trade down the Erie. We have attempted already to draw the trade from Oswego, by making an alteration in the tolls on the St. Lawrence canals, and we have failed, because the reduction ought not to have been made in the tolls on the St. Lawrence, but rather on the Champlain Canal. The reduction has been thrown away, and the American railroad have obtained the benefits which should have accrued to the — canal. Our policy is to keep all the canals free, and if the Welland canal is not closed, you can bring a barrel of flour through from Lake Erie for 1 cent, defying all competition by any other channel. We are now increasing at a rate of 20 per cent. a year, and it would be unwise and absurd to check that increase by adapting the policy of the Inspector General. It should also be known, that the Eastern States are the natural market for the productions of Canada, and that the supply, not only of the market of New York, but of the large consuming population of the Eastern States would be opened to us by the connection of the St. Lawrence and Lake Champlain; and here, he would remark that he could not agree with the member for Montreal, in the value he put upon reciprocity. The hon. gentleman is entirely mistaken in the low estimate he put upon that important object. As to the proposed policy of the Government--drawing trade through the St. Lawrence, by the duties, he expressed his entire concurrence, but would not discuss the question then.⁴¹ He concluded by⁴² [submitting] the first resolution.⁴³ He did not doubt the resolution would pass without opposition⁴⁴, and hoped that it would meet with the unanimous support of the House, as the Government did not intend to oppose it.⁴⁵ [The resolutions which he moved are as follows:--]

1. That since the opening of the New York Canals, the greatest portion of the trade of the West has been diverted from the natural outlet of the St. Lawrence to New York; That such has been the rapid income of that trade, that a debt of \$35,424,825, created for constructing these communications, has been reduced from the Tolls received thereon up to the 30th September, 1851, to \$16,301,109. That \$1,300,000 per annum has been set apart under the provisions of the 7th article of the amended constitution of the State in 1846, from those Tolls, to create a sinking fund for the entire liquidation thereof, which amount cannot be lessened by Legislative enactment; therefore if the same revenue continues to be realized, hereafter the whole debt will be paid off in a few years, after which the Tolls (which at present are at the rate of 22½ cents per barrel on Flour, from Lake Erie to the Hudson,) may be removed altogether, except for the raising of \$672,000 to defray the annual expenses of the Government.

2. That whereof the cost of conveying a barrel of Flour from Lake Erie to Ontario, through the Welland Canal has been reduced to one-half-penny, (merely the price of towing, exclusively of Toll,) it is the opinion of this House that the construction of a Canal of sufficient dimensions to admit the passage of the largest class of Steamers from Lake Ontario to Whitehall, on Lake Champlain, (from whence there is an elevation of only 55 feet, in a distance of 70 miles, to connect the navigable waters of the Hudson,) would materially cheapen the rates of transport between Lake Erie and New York, and reduce them below that of any other known channel.

3. That from the proximity of Lake Champlain to the Rivers Hudson and St. Lawrence, the trifling summits which divide them, and the striking natural

advantages these great Lakes possess, it is the opinion of this House, that their immediate connection is indispensable [sic] to complete the great chains of communication now in progress, and to regain for Canada a due proportion of the trade of the West. The amount of surplus revenues on the New York Canals, after deducting all charges, was last year \$2,814,432, while the revenues from the St. Lawrence Canals, scarcely covered the cost of management and repairs. The diverting to the St. Lawrence route the trade of the West, will diminish the amount of Tolls received on the New York Canals, and increase the amount on the Canadian Canals in a like proportion, which must produce the following marked and important results. It will not only compel the State of New York to keep up their present high rate of Tolls, but will prolong the period for paying off their debt, and thereby reducing them, which, when effected, would permanently secure to New York the entire transit trade of the Western Countries; at the same time it will rapidly increase the sinking fund, created in 1849, under the provision of the 5th clause of the 12 Vic. cap. 5, and hasten the period for paying off the public debt of Canada, and enable the Government to reduce their tolls, and secure to Canada this important and rapidly increasing traffic, for all time to come.

4. That an humble address be presented to His Excellency, praying that he may be pleased, at the earliest opportunity, to take the necessary steps, to authorize the construction of the said Canal.⁴⁶

A debate arose on the first resolution.

MR. BROWN thought that the House should be in possession of more information before it passed the resolution. He was in favour of it, but thought that it was a very serious matter to pledge the House to this great work without some statistical information as to the expense, and the probable amount of traffic⁴⁷ being laid before them.⁴⁸

MR. YOUNG said that if the member for Kent had read the report of the Commissioner of Public Works, he would have found the desired information.⁴⁹

MR. BROWN had not had an opportunity to read it.⁵⁰

MR. BOULTON did not think that the resolution pledged the House to the construction of the Canal. It merely recommended the work to the consideration of His Excellency; that is, it proposes that the Government should examine whether their own statements are based on sound information; and that they shall have an opportunity of considering whether they will assume the responsibility of coming down with a bill for the construction of this work.⁵¹

MR. ROBINSON seconded the resolution with much pleasure. He had paid much attention to the subject for many years, and was satisfied that it is a most important project. A very minute survey and estimate had been made, and could be laid before the House if necessary; that estimate--\$450,000--was, however, in his opinion, a very large one⁵², the proposed increase of tolls would be injurious to the trade.⁵³ It is no time to hesitate when we see the strenuous efforts made by the Americans to draw our commerce off at every point; and he hoped that the Government would be prepared to make immediate and energetic steps to counteract their policy.⁵⁴

MR. INSP. GEN. HINCKS said that the hon. gentleman would find from the report of the Commissioner of Public Works that this subject has engaged the attention of that department more particularly charged with measures of this kind.⁵⁵ That ... report ... was ably drawn up and the statement contained in it calculated to produce a deep impression upon the public.⁵⁶ The member for Lincoln had made some very sweeping charges against the Government, stating that the total failure

of the Canal policy has all been owing to bad management; now, there is no gentleman, perhaps, in the House, who has taken so active a part in the Canal policy of this country as the hon. member for Lincoln. That gentleman should recollect that, if the Canal policy of Canada has been a failure, all his predictions about that Canal policy have also been a failure up to the present time. It is well known that he advocated the construction of the Welland and St. Lawrence Canals, with a view to draw the trade of the West by that route. Well, he would not blame him because, to a certain extent, that policy had turned out a failure, for events have [occurred] which he could not by any possibility have foreseen. It is well known that, at the time those works were undertaken, all produce passing through the St. Lawrence, whether Canadian or American, enjoyed the benefit of a differential duty on arrival in the English market; the consequence was that great anticipations were formed as to the amount of produce which would pass through the St. Lawrence when the canals were completed. A different policy has since been adopted by the Imperial Parliament which places our breadstuffs in England on an equal footing with those of the United States; and the consequence has been that not only does the produce of the West seek the New York markets, but even a large portion of the Province of Canada takes the same direction. The very able report of the member for Montreal is likely to do immense benefit, exercising a very great influence on public opinion; but it must be obvious to every one that there is a very large Western trade to and from the New York and New England markets totally irrespective of what passes, or is likely to pass by the Erie Canal, or the routes leading from Oswego, and Ogdensburgh, or by any Canadian railroad, or whether a better route still cannot be obtained, such as the member for Lincoln now desires to obtain an expression of opinion in favour of? The report of the member for Montreal has shown that the trade is so enormous that it is impossible for any railroads to furnish sufficient transport for it, and that there is every probability that it will be the cheapest route for produce seeking a market in New York and the Eastern States. It would not interfere with the trade of the St. Lawrence for European freights, for he sincerely believed it would not take one barrel of flour from that trade, but that the diversion would affect only the trade now carried on by the Erie Canal, and the other existing routes of communication with New York. He referred to this more particularly, because he did not think any great blame was justly attributable to the Government for neglecting the Canal policy, which, as he had said was designed to draw the European traffic with the West, through the St. Lawrence. He would also remark, in reference to another point of the hon. member's speech that there are peculiar circumstances attending the European trade to Quebec which are always likely to keep ocean freight higher in that port than in New York. He referred to the fact that the trade in lumber, one of the large staples of this country, employs a larger number of vessels than are necessary to convey the imports of this Province, consequently, that many of these vessels must come here as ballast, and that the expense on the double voyage must be charged on the load of timber.⁵⁷ He admitted the importance of the proposed work. He did not think it would divert the trade of the St. Lawrence but it would that of the Erie canal. The trade of the West was of such vast and increasing importance that it was of moment to provide for its transport. He made some further remarks and announced that this government would support the resolutions.⁵⁸

MR. YOUNG did not think that the Inspector General had stated the true reason why the Canadian Canals had proved a failure. The reason is that American vessels are excluded from the St. Lawrence. The true value of the St. Lawrence

cannot be known so long as the river between Montreal and Quebec is closed. He would give an instance of the injurious effect exercised by the present system; a vessel arrives at Quebec with a cargo of rail road iron for one of the Western States; she is obliged to unload there, and the iron is transhipped into five or six barges which may be some weeks in ascending the river, and is then put on board American schooners at Montreal. If they were allowed to run down to Quebec, a great loss of time, and this extra handling might be saved. So with the trade from the West downwards--why should an American schooner be stopped at Montreal? Why should she not be allowed to run to Quebec, Halifax, or Newfoundland? Until that is done, he would repeat, we cannot know the full value of the St. Lawrence.⁵⁹

MR. RIDOUT looked upon the proposition of the member for Lincoln as a most important one, and would be happy to give it a cordial support if he were fully acquainted with the grounds on which it was based; but he was bound to admit that he⁶⁰ had not read the report of the Commissioners of Public Works, and did not understand the question⁶¹, and he believed that there were several gentlemen in the same position.⁶² He must therefore vote against the motion if it were passed, but otherwise he might vote for it. He said farther that the resolution was not yet printed.⁶³ He must therefore ask for a postponement.⁶⁴

MR. INSP. GEN. HINCKS, in reply to the Member for Montreal, said he wished it to be distinctly understood that he is not opposed to the free navigation of the St. Lawrence by American vessels. On the contrary, he was, personally, strongly in favour of it, and the hon. member knew that there was no difficulty on that subject on the part of the Provincial Government.⁶⁵

MR. YOUNG.--Hear, hear.⁶⁶

MR. INSP. GEN. HINCKS [continued:] The question rests altogether with the Imperial Government who are of opinion, and perhaps they are right that while they are endeavouring to obtain reciprocity of trade for the Colony it would be imprudent to make any further concessions to the United States. There is reason to expect that in a very short time the whole matter will become the subject of negotiation; it is at this moment strongly urged on the attention of the American Government, and is in rather a favourable position.⁶⁷

MR. FOURNIER objected to the construction of the proposed canal, as it would take the trade of the St. Lawrence.⁶⁸

MR. MERRITT shewed that that was impossible. He said at the same time, that he was willing to postpone the motion if gentlemen desired it, but he was surprised to hear hon. gentlemen confess that they had not read the report.⁶⁹

MR. MACKENZIE desired delay. Legislation was carried on in such haste, that he found it impossible to do much more than glance over the report.⁷⁰ He was not quite sure if the proposed Canal could attract the trade of the West.⁷¹

MR. CHABOT (in French) did not approve of a canal between the St. Lawrence and Lake Champlain, and did not see of what use it could be in increasing the income of the St. Lawrence Canals. The best means of doing that, was to improve the navigation of the St. Lawrence as much as possible, and to open it to all nations.⁷²

MR. CAUCHON (in French) expressed himself unfavorable to the canal, and feared its effects upon the Lower St. Lawrence. He would oppose the motion in the position which it stood; but, if the government were prepared to come down upon their own responsibility with a measure for the canal he would support it.⁷³

MR. LANGTON differed with them wholly in opinion, as there are two distinct classes of trade from the Lakes; that which goes to Europe, and that which is destined for the United States. To the latter, the construction of this canal would be a great benefit.⁷⁴

MR. BROWN thought that the projected work had been favourably entertained by the public, at a time when the Government had not intimated an intention to impose retaliatory duties on American traffic and differential tolls on American vessels. If that policy is carried out, it is very apparent that it will be met by counter retaliation against Canadian vessels, which would effectually prevent any benefit arising from the scheme of a canal from Whitehall to Troy to this country, and only throw the whole of the trade into the hands of American forwarders. I am very certain that the announcement made by the Inspector-General this evening of the policy he intended to pursue, will take Upper Canada by surprise. Neither the farming nor the mercantile interest is prepared for it. He proposes by a retaliatory policy to obtain a prospective good; but the majority of the people would scarcely concur with him as to the propriety of attempting to obtain reciprocity by such means. It is well known that there is now a difficulty in procuring freight to go through the Welland Canal; and the natural effect of the imposition of 2d. per bbl. on flour in addition to the existing rates, will be to drive a large portion of the existing trade away. In another respect, the policy of the Inspector-General was somewhat short-sighted: the Government was pledged, as he understood, to an expenditure of something like £19,000 a year for the establishment of a line of steamers to Portland, and yet they propose now to put a duty of 12½ per cent on all the freight of those steamers. However, it was a subject of vast importance, and the House was not at the moment in possession of sufficient information to enable them to discuss it. When it came up again members would be prepared to discuss it in all its bearings.⁷⁵

MR. YOUNG said he had very little doubt that when the Portland Railroad is completed, a very large portion of the trade will come that way.⁷⁶

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Crawford reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again, on Monday next.

MR. RIDOUT⁷⁷ moved the reference of a petition of 111 merchants of the city of Toronto to a select committee, with a view of amending the assessment law of Upper Canada, in as far as related to cities and towns. He explained that the present assessment law was very unjust to the mercantile interests, and he did not think that that was intended when the bill was framed.⁷⁸

MR. INSP. GEN. HINCKS had no objection to the committee provided his own name were left out of it, as he had before so much trouble with the assessment law of Upper Canada, that he had no wish to take the subject in [his] hands again. The assessment law as it at present stood, was not as he had desired to have it. If a committee could propose a satisfactory amendment to the law he should have no objection, although the government were not prepared to come down with any alteration.⁷⁹

Motion granted after some further conversation.⁸⁰

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Resolved, That the Petition of Messieurs Bryce, McMurrich and Company, and

others, Merchants and Traders of the City of Toronto, be referred to a Select Committee, composed of Mr. Ridout, Mr. Crawford, the Honorable Mr. Robinson, Mr. Dixon, and Mr. Boulton, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

Ordered, That Mr. Boulton have leave to bring in a Bill to authorize Cities and Towns to establish and maintain Public Libraries.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

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On motion of Mr. Laurin, seconded by Mr. Lemieux,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying him to cause the proper Officer to lay before this House, all the Documents relating to the Inquiry holden at Lotbinière by William K. McCord, Esquire, Superintendent of Police at Quebec, relative to the abstraction and loss of certain articles of furniture, &c., belonging to the Parish Church of Lotbinière.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. White have leave to bring in a Bill to amend the Act 14 & 15 Vic. cap. 126, intituled, "An Act to amend an Act, intituled, 'An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province.'"

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. White have leave to bring in a Bill to make better provision for the collection of Claims against the Owners of Vessels.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

MR. AT. GEN. DRUMMOND⁸¹ moved a Committee of five Members, to take into consideration the state of the Law in relation to the authority under which houses or other buildings may be blown up, or otherwise destroyed, to stay the progress of fires in Cities, Towns and Villages in this Province, and also in relation to the mode in which personal property sacrificed or injured on such occasions may be indemnified; with power to send for persons and papers, and to report to this House with all due diligence; and that such a Committee be composed of the Hon. Mr. Richards, the Hon. Mr. Macdonald, (Kingston,) Hon. Mr. Chabot, Mr. Dubord, and the Mover. The hon. member explained that although the ministry had opposed the reference of a petition on this subject because it prayed for a money grant, they felt that the subject was of such general interest to the whole province that it was important the state of the law should be exactly known.⁸²

Motion carried after some conversation.⁸³

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Resolved, That a Select Committee, composed of the Honorable Mr. Attorney General Drummond, the Honorable Mr. Attorney General Richards, Mr. Stuart, the

Honorable Mr. Chabot, and Mr. Dubord, be appointed to take into consideration the state of the Law in relation to the authority under which houses or other buildings may be blown up, or otherwise destroyed, to stay the progress of Fires in Cities, Towns and Villages in this Province, and also, in relation to the mode in which persons whose property is sacrificed or injured on such occasions may be indemnified; and also, to take into consideration if any and what measures should be adopted for the purpose of protecting the Inhabitants of such Cities, Towns and Villages, and other properties, against accidents arising from the explosion of Powder Magazines constructed therein, to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of Mr. Brown, seconded by Mr. McDonald of Cornwall,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to cause to be laid before this House, copies of all Correspondence which may have been had between the Government and the Mayor or Citizens of Montreal, in reference to a Loan as aid in rebuilding houses destroyed by the recent Fire in that City.

Ordered, That the said Address be presented to His Excellency the Governor and the Mayor or Citizens of Montreal, in reference to a Loan as aid in rebuilding houses destroyed by the recent Fire in that City.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Ordered, That Mr. Cauchon have leave to bring in a Bill to explain part of a certain Act therein mentioned, and to define what persons shall have the right to vote at the Election of Members of the Legislative Assembly to represent the Cities of Quebec, Montreal, and the Town of Three Rivers.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Mattice and Mr. Paige, respectively, have leave of absence for one week, from this day, on urgent private business.

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Ordered, That Mr. White have leave to bring a Bill to authorize the Town of Dundas to grant its security to the Great Western Railroad Company on behalf of the Desjardins Canal Company for certain improvements on the said Canal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the twenty-ninth instant.

Ordered, That Mr. White have leave to bring in a Bill to enable Stephen Atkinson and his brother, John Atkinson, to convey to the Municipality of Nelson part of Lot No. 15, in the first concession south of the Dundas Street, for a Township Hall.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the twenty-ninth instant.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to Addresses to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General,

dated the 24th August, 1852, praying that His Excellency will cause to be laid before this House, a Statement up to the 1st of August, shewing the amount of Cash at the credit of the Government of Canada, subject to the draft of the Receiver General thereof, acting on its behalf, in the various Banking and other monied Institutions of the Province, or in the hands of individuals holding Public Deposits in and out of Canada, including the Agents or Brokers who transact the business of the Province in Europe, specifying the amount in each place of deposit, and what rates of interest are payable to Government on any part of the Public Deposits, in what cases, and under what arrangements or conditions. 2nd. A Statement of the Public Debt of Canada, naming the date and purpose of each Loan, the rate of interest, and where payable; the times when the Debentures were sold, and at what rates sold; the amount of interest payable on the said Debt, shewing also the several Loans made to Companies or individuals, and the amount of Exchange or Bills on London bought by the Government and remitted to London since 1848, for payment of interest on the Public Debt; the rates at which said Bills were purchased, and from whom such Bills in all cases were purchased. 3rd. A Statement of the amount of money at the credit of the Sinking Fund of this Province, and how or where invested or deposited, stating the amount invested in 1850 and 1851. 4th. A Statement of the amounts paid by Government for managing or attending to the Public Debt, and the payments of the interest thereon, as commissions to Bankers, Agents, or otherwise, since January, 1848. 5th. Copies of all Correspondence (not already laid before the Legislature) between the Chartered Banks of Canada and the Government, relating to the transfer of the Public Accounts from the Banks of Montreal and British North America, to the Bank of Upper Canada.

For the said Return, see Appendix (D.D.)

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 8th instant, praying that His Excellency would be pleased to cause to be laid before this House, copies of all Correspondence which may have passed between the Roman Catholic Bishop of Toronto and the Superintendent of Education for Upper Canada, on the subject of separate Common Schools.

For the said Return, see Appendix (E.E.)

Ordered, That five hundred copies of the said Returns be printed for the use of the Members of this House.

Mr. Boulton moved, seconded by Mr. Dixon, and the Question being put, That the Orders of the day be postponed until To-morrow;

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The House divided:

Yeas, 24.

Nays, 27.

So it passed in the Negative.

The Order of the day for taking into consideration the Second Report of the Standing Committee on Printing, being read;

Ordered, That the said Order be discharged.

Ordered, That the said Report be referred to a Committee of the whole House.

Resolved, That this House will immediately resolve itself into the said Committee.

The House accordingly resolved itself into the said Committee; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Malloch reported,

That the Committee had come to a Resolution; which was read, as followeth:--
Resolved, That this House doth concur with the Committee in the Second Report of the Standing Committee on Printing.

The said Resolution, being read a second time, was agreed to.

Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of Mr. Malloch, seconded by Mr. Crawford,
The House adjourned.

APPENDIX: 20 SEPTEMBER 1852.

[NOTICE OF MOTION RE: REPRESENTATION.]⁸⁴

MR. PROV. SEC. MORIN a donné avis qu'il présentera le [sic] semaine prochaine un bill pour régler la représentation⁸⁵.

[NOTICE OF MOTION RE: LEGISLATIVE COUNCIL.]⁸⁶

MR. PROV. SEC. MORIN a donné avis qu'il présentera le [sic] semaine prochaine ... une série de résolutions relatives à la composition du conseil législatif.⁸⁷

[QUESTION AND ANSWER RE: JESUITS' COLLEGE.]⁸⁸

MR. CAUCHON enquired of the Ministry, whether they have taken, or intend to take any steps to obtain from the Imperial Government the Restitution of the Ancient College of the Jesuits, now occupied as Barracks in the City of Quebec?⁸⁹

MR. PROV. SEC. MORIN said that some steps had been taken, but that⁹⁰ l'attention du gouvernement n'a pas été appelée sur ce sujet depuis bien des années⁹¹ [and] very little had been done.⁹² Cependant le gouvernement s'en est occupé et s'en occupera, mais non pas par l'action de cette chambre.⁹³ The government however did intend to enter into fresh correspondence on the subject.⁹⁴

[POSTPONED MOTION RE: MONTREAL AND QUEBEC RAILROAD.]

MR. STUART, un des représentants de cette ville, secondé par M. Tessier, a demandé la permission d'introduire un bill pour autoriser la formation d'une compagnie pour construire un chemin de fer sur la rive nord du fleuve Saint-Laurent, depuis la ville de Québec jusqu'à la ville de Montréal.⁹⁵

MR. J. S. MACDONALD the SPEAKER a fait remarquer à l'honorable membre que rapport n'avait pas encore été fait sur cette motion.⁹⁶

MR. STUART a alors expliqué que son bill n'avait pas pour but d'incorporer tels ou tels individus pour la construction de ce chemin de fer, mais seulement d'autoriser la formation d'une compagnie pour cet objet. Il ajouta que la décision récente du gouvernement au sujet des £100,000 de la corporation de Québec, ne lui avait pas laissé d'alternative. Il réclamait donc au nom d'une population de plus de 300,000 âmes et comme sujet anglais, le droit d'introduire un bill à la passation duquel la moitié de la population du Bas-Canada est intéressée.⁹⁷

MR. INSP. GEN. HINCKS déclara que le gouvernement n'était pas opposé à ce chemin de fer, pas plus qu'à tout autre chemin de fer, et il suggérerait à l'honorable membre de faire une motion pour obtenir de la chambre la dispense pour ce bill d'une règle de la chambre qu'il indiqua.⁹⁸

MR. TESSIER expliqua que la compagnie qui s'était formée pour la construction de ce chemin de fer avait obtenu en souscriptions le quart du capital nécessaire pour le chemin, et se préparait à verser dans une banque le dixième de cette souscription, conformément à la loi, quand le gouvernement a fait désavouer par le gouverneur le règlement de la corporation pour la prise de £100,000 d'actions de ce chemin. Il fit voir ensuite qu'il était impossible à la corporation,

d'après la manière de voir du gouvernement, de passer un nouveau règlement, vû la manière dont la loi est faite. Il termina par exprimer l'espoir que la chambre soutiendrait M. Stuart dans sa motion.⁹⁹

MR. AT. GEN. DRUMMOND répéta que le gouvernement n'était pas opposé au chemin de fer du Nord. Il dit aussi que le gouvernement s'était hâté de faire désavouer le règlement dans l'intérêt de l'entreprise, et afin qu'on se conformât. ^{dee} suite à la loi.¹⁰⁰

MR. STUART consentit alors à remettre sa motion jusqu'à la séance suivante.¹⁰¹

[WITHDRAWN MOTION RE: APPOINTMENT OF JUDGES.]¹⁰²

MR. AT. GEN. DRUMMOND moved that the 39th order of the day be taken up, for the adjourned debate on ... [his] Motion, "That the Bill to authorize appointment of Assistant Judges of Superior Courts for Lower Canada, be now read a second time,"--and Mr. Gamble's Amendment thereto, "That it be read a second time this day six months."¹⁰³ Il voulait faire prendre la préséance à son bill pour nommer des juges suppléants sur toutes les autres mesures qui le précédaient sur l'ordre du jour, disant que la cour de Sherbrooke devant siéger le 21,¹⁰⁴ [OR] the Superior Court would sit at St. Francis on the 26th instant¹⁰⁵, il devenait nécessaire de nommer un juge pour remplacer celui qui est malade.¹⁰⁶

Ceci provoqua une altercation entre MR. STUART and MR. AT. GEN. DRUMMOND qui se fâcha de ce que la chambre ne lui donnait pas un bill, tout prêt à faire fonctionner, en une de ses séances.¹⁰⁷

In the course of the conversation ... MR. AT. GEN. DRUMMOND complained of a false report of some remarks of his in the former debate on this subject. The person of whom he complained was the reporter of the United Empire, who had made him (Mr. D.) apply the term "unmitigated impertinence" to the hon. member for South York. He had never used any such language. These Reporter's were allowed to remain here on sufferance and they should bear in mind, that they might be punished for misrepresentation.¹⁰⁸

MR. BOULTON moved an adjournment, which was lost. He said in reply to a remark of Mr. Drummond, that repudiating the idea that he wished to obstruct the administration of justice in Lower Canada. His objection to taking the Bill out of its turn was, that it would involve a long discussion unless the Attorney General East would consent to limit the application of the Bill to the present necessity. He would resist giving a power to the Government that would enable them to appoint an assistant Judge in any District, for he was aware that such power had been abused. He was in the House in 1849 when the new judicature act for Lower Canada was passed, and on that occasion the government recommended four Judges for Montreal and three for Quebec, but on its being suggested that Quebec should have as large a Bench as Montreal, it was at once concurred in and a gentleman was appointed as fourth Judge, who receives £1000 a year, and as yet has never performed one official act except discharging the warrants for his salary.¹⁰⁹

MR. AT. GEN. DRUMMOND withdrew his motion.¹¹⁰

FOOTNOTES: 20 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: BRITISH COLONIST, 21 September 1852, GLOBE, 21 September 1852, HAMILTON SPECTATOR DAILY, 21 September 1852, MONTREAL GAZETTE, 21 September 1852, BRITISH WHIG, 22 September 1852, NORTH AMERICAN WEEKLY, 23 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, and OTTAWA CITIZEN, 25 September 1852. The following papers reported the debate in partially identical accounts: MORNING CHRONICLE, 21 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 23 September 1852, QUEBEC GAZETTE, 24 September 1852, HAMILTON SPECTATOR DAILY, 27 September 1852 (which copied from MORNING CHRONICLE), BRITISH COLONIST, 28 September 1852, GLOBE, 30 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 22 September 1852, PILOT, 22 September 1852, MONTREAL GAZETTE, 22 September 1852, GLOBE, 23 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, BATHURST COURIER, 24 September 1852, and OTTAWA CITIZEN, 25 September 1852 (in a separate account). Commentaries appeared in: HAMILTON SPECTATOR WEEKLY, 23 September 1852; GLOBE, 25 September 1852; JOURNAL DE QUEBEC, 21 September 1852; LA MINERVE, 23 September 1852; and L'AVENIR, 29 September 1852.
2. MORNING CHRONICLE, 21 September 1852.
3. GLOBE, 30 September 1852.
4. IBID., 2 October 1852.
5. MORNING CHRONICLE, 21 September 1852.
6. GLOBE, 2 October 1852.
7. MORNING CHRONICLE, 21 September 1852.
8. GLOBE, 2 October 1852.
9. MORNING CHRONICLE, 21 September 1852.
10. GLOBE, 2 October 1852.
11. MORNING CHRONICLE, 21 September 1852.
12. GLOBE, 2 October 1852.
13. MORNING CHRONICLE, 21 September 1852.
14. IBID.
15. IBID.
16. LA MINERVE, 23 September 1852.
17. The debate on this matter was reported by GLOBE, 2 October 1852. The following papers noted the debate in identical accounts: MORNING CHRONICLE, 21 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 23 September 1852, QUEBEC GAZETTE, 24 September 1852, HAMILTON SPECTATOR DAILY, 27 September 1852, and BRITISH COLONIST, 28 September 1852. The debate was also noted by GLOBE, 25 September 1852.
18. GLOBE, 2 October 1852.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. IBID.
28. IBID.
29. IBID.

30. IBID.
31. IBID.
32. IBID.
33. IBID., which added incorrectly that the division on this motion stood as "Yeas, 3; Nays, 34."
34. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 22 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 24 September 1852, and BRITISH COLONIST, 28 September 1852. The debate was also reported by GLOBE, 2 October 1852. The following papers noted the debate in identical accounts: HAMILTON SPECTATOR DAILY, 22 September 1852, PILOT, 22 September 1852, MONTREAL GAZETTE, 22 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, GLOBE, 23 September 1852, BATHURST COURIER, 24 September 1852, and OTTAWA CITIZEN, 25 September 1852. The debate was noted by: GLOBE, 25 September 1852; EXAMINER, 29 September 1852 (which misdated it as Monday, 21 September 1852); and LA MINERVE, 23 September 1852.
35. GLOBE, 2 October 1852.
36. IBID.
37. IBID.
38. BRITISH COLONIST, 28 September 1852.
39. GLOBE, 2 October 1852.
40. BRITISH COLONIST, 28 September 1852.
41. GLOBE, 2 October 1852.
42. BRITISH COLONIST, 28 September 1852.
43. GLOBE, 2 October 1852.
44. BRITISH COLONIST, 28 September 1852.
45. GLOBE, 2 October 1852.
46. BRITISH COLONIST, 28 September 1852.
47. GLOBE, 2 October 1852.
48. MORNING CHRONICLE, 22 September 1852.
49. GLOBE, 2 October 1852.
50. IBID.
51. IBID.
52. IBID.
53. MORNING CHRONICLE, 22 September 1852.
54. GLOBE, 2 October 1852.
55. IBID.
56. MORNING CHRONICLE, 22 September 1852.
57. GLOBE, 2 October 1852.
58. MORNING CHRONICLE, 22 September 1852.
59. GLOBE, 2 October 1852.
60. IBID.
61. MORNING CHRONICLE, 22 September 1852.
62. GLOBE, 2 October 1852.
63. MORNING CHRONICLE, 22 September 1852.
64. GLOBE, 2 October 1852.
65. IBID.
66. IBID.
67. IBID.
68. IBID.
69. MORNING CHRONICLE, 22 September 1852.
70. GLOBE, 2 October 1852.
71. MORNING CHRONICLE, 22 September 1852.

72. IBID.
73. IBID.
74. GLOBE, 2 October 1852.
75. IBID.
76. IBID.
77. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 22 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 24 September 1852, BRITISH COLONIST, 28 September 1852, and GLOBE, 2 October 1852. The debate was noted by EXAMINER, 29 September 1852 (which misdated it as Monday, 21 September 1852).
78. MORNING CHRONICLE, 22 September 1852.
79. IBID.
80. IBID.
81. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 22 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 24 September 1852, and BRITISH COLONIST, 28 September 1852.
82. MORNING CHRONICLE, 22 September 1852.
83. IBID.
84. This notice of motion was reported by: GLOBE, 21 September 1852; and LA MINERVE, 23 September 1852.
85. LA MINERVE, 23 September 1852.
86. This notice of motion was reported by: GLOBE, 21 September 1852; and LA MINERVE, 23 September 1852.
87. LA MINERVE, 23 September 1852.
88. The following papers reported this question in identical accounts: MORNING CHRONICLE, 22 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 24 September 1852, and BRITISH COLONIST, 28 September 1852. The question was also reported by: JOURNAL DE QUEBEC, 21 September 1852; and L'AVENIR, 29 September 1852.
89. MORNING CHRONICLE, 22 September 1852.
90. IBID.
91. JOURNAL DE QUEBEC, 21 September 1852.
92. MORNING CHRONICLE, 22 September 1852.
93. JOURNAL DE QUEBEC, 21 September 1852.
94. MORNING CHRONICLE, 22 September 1852.
95. JOURNAL DE QUEBEC, 21 September 1852.
96. IBID.
97. IBID.
98. IBID.
99. IBID.
100. IBID.
101. IBID.
102. The following papers reported the debate on this withdrawn motion in partially identical accounts: MORNING CHRONICLE, 22 September 1852, MONTREAL GAZETTE, 23 September 1852, PILOT, 24 September 1852, BRITISH COLONIST, 28 September 1852, and GLOBE, 2 October 1852. The debate was also reported by: JOURNAL DE QUEBEC, 21 September 1852; and L'AVENIR, 29 September 1852.
103. MORNING CHRONICLE, 22 September 1852.
104. L'AVENIR, 29 September 1852.
105. MORNING CHRONICLE, 22 September 1852.
106. L'AVENIR, 29 September 1852.
107. IBID.
108. MORNING CHRONICLE, 22 September 1852.

109. IBID.

110. IBID.

TUESDAY, 21 SEPTEMBER 1852.

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MR. SPEAKER laid before the House, Statements of the Affairs of the Hamilton and Gore District Savings Bank, to the 30th August, 1852, and of the Ontario Marine and Fire Insurance Company, to 9th February, 1852.

For the said Statements, see Appendix (R.)

And also, Report of the Kingston General Hospital, for the year ending 31st December, 1851.

For the said Report, see Appendix (Y.)

The following Petitions were severally brought up, and laid on the table:--

By Mr. Malloch,--Two Petitions of the Reverend William Lockhead and others, the Free Presbyterian Congregation of Osgoode, County of Carleton; and the Petition of John Burkham, Esquire, and others, of the Township of Torbolton, County of Carleton.

By Mr. Valois,--The Petition of the Professors of the School of Medicine and Surgery of the City of Montreal.

By Mr. Tessier,--The Petition of the Reverend Z. Gingras and others, of the Parish of St. Basil, County of Portneuf.

By Mr. McDonald of Cornwall,--The Petition of W.R. Anderson and others, of the Township of Lochiel; and the Petition of Farquhar McRea and others, of Glengary.

By Mr. Brown,--The Petition of the Very Reverend Archdeacon Stuart and others, of the City of Kingston; the Petition of the Reverend Paul Robins and others, of the Township of Darlington; the Petition of John Chinie, on behalf of the Congregational Union of Canada West; two Petitions of the Reverend Robert F. Burns, Moderator, and John Dickson, Clerk, on behalf of the Session of Chalmer's Church, Kingston, in connexion with the Presbyterian Church of Canada; and the Petition of the Reverend John Dempsey and others, of the Village of St. Andrew's and its vicinity, County of Two Mountains.

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By Mr. Ridout,--The Petition of the Reverend Robert Burns, D.D., and others, of the City of Toronto; and the Petition of Mrs. Elizabeth B. Burns and other Ladies, of the City of Toronto.

By Mr. Marchildon,--The Petition of Joseph Caron and others, School Commissioners of the Parish of Ste. Anne de Lapérade, County of Champlain.

By Mr. Smith of Durham,--The Petition of Thomas Solomon and others, of the Township of Alnwick and of the rear part of the Township of Haldimand, County of Northumberland; the Petition of Walter Stevenson and others, of the Township of Alnwick; the Petition of Reuben Scott and others, of the Township of Cramahé; and the Petition of George Freeman, President, and others, Members of the British American Temperance League, and others, of the Township of Hamilton, County of Northumberland.

By Mr. Stuart,--The Petition of Thomas Cary, of the City of Quebec, Esquire; and the Petition of the Mayor and Councillors of the City of Quebec.

By Mr. Willson,--The Petition of John McDonald and others, Roman Catholic Inhabitants of the Townships of Williamstown and Adelaide, County of Middlesex.

By the Honorable Mr. Chabot,--The Petition of the Directresses of the Charitable Association of Catholic Ladies of Quebec; and the Petition of the Municipal Council of the First Division of the County of Saguenay.

Ordered, That the Petition of Matthew Rosevear and others, of the Township of Hamilton, County of Northumberland; the Petition of James Boyce and others, of the seventh Concession of the Township of Hamilton; and the Petition of Robert McKee and others, of the sixth Concession of the Township of Hamilton, County of Northumberland, be referred to the Select Committee to which was referred the

Petition of Thomas Richards and others, of the Township of Hamilton, County of Northumberland.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to an Address to His Excellency the Governor General,--Supplementary Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated the 3rd July, 1851, for copies of all Correspondence between the Government, the Board of Trade, Dr. James Douglas, the Commissioners, House Surgeon, and Visiting Physicians of the Quebec Marine and Emigrant Hospital, and other parties, touching the management of the said Establishment.

For the said Supplementary Return, see Appendix (Y.)

Ordered, That Mr. Burnham have leave to bring in a Bill to incorporate the Cobourg and Peterborough Railway Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

Ordered, That Mr. Christie of Gaspé have leave to bring in a Bill to detach, for Judicial purposes, the Settlements of Ste. Anne des Monts and Cape Chat from the District of Gaspé, and to annex the same to the District of Kamouraska.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday the fifth day of October next.

Ordered, That Mr. Boulton have leave to bring in a Bill to amend the Act 10 & 11 Vic. cap. 23, relative to Masters and Servants, and to extend the provision thereof to Mechanics and others.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

(181)

On motion of Mr. Dumoulin, seconded by Mr. Turcotte,

Ordered, That the 64th Rule of this House be suspended as regards that part of the Petition of V. Guillet, Esquire, and others, of the Parish and Town of Three Rivers, which relates to the levying of a rate for the erection of a Church in the Parish of Three Rivers.

Ordered, That Mr. Sicotte have leave to bring in a Bill to regulate the proceedings relative to the seizure of Real Property in cases of Folle Enchère.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday the fifteenth of October next.

Ordered, That Mr. Sicotte have leave to bring in a Bill to facilitate the discharge of hypothecs, charges and servitudes on Real Property.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday the fifteenth of October next.

Ordered, That Mr. Taché have leave to bring in a Bill to incorporate a Company for navigating upon the St. Lawrence.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Stuart, seconded by Mr. Dumoulin,

Ordered, That the 64th Rule of this House be suspended, in so far as respects the introduction of a Bill to authorize the formation of a Company to construct a Railroad on the North Shore of the River St. Lawrence, from the City of Quebec to the City of Montreal, or to some convenient point on any Railway leading from Montreal to the western Cities of this Province.

Ordered, That Mr. Stuart have leave to bring in a Bill to authorize the formation of a Company to construct a Railroad on the North Shore of the River St. Lawrence, from the City of Quebec to the City of Montreal, or to some convenient point on any Railway leading from Montreal to the western Cities of this Province.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday the twenty-ninth instant.

Ordered, That Mr. Willson have leave to bring in a Bill further to amend the Act incorporating the President, Directors and Company of Port Burwell Harbour.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday the first of October next.

Ordered, That the Honorable Mr. Attorney General Richards have leave to bring in a Bill to authorize the Brantford and Buffalo Joint Stock Railroad Company to construct a Railway from Fort Erie to Goderich.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time To-morrow.

MR. ROBINSON¹ rose, for the purpose of moving, that a series of resolutions of which he had given notice, relative to the employment of steam tug-boats on the River St. Lawrence, should be referred to a Committee of the whole.²

(181)

On motion of the Honorable Mr. Robinson, seconded by Mr. Wright of the West Riding of York,

Resolved, That this House will immediately resolve itself into a Committee, to take into consideration certain Resolutions relative to the employment of Steam Tug Boats on the River St. Lawrence.

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The House accordingly resolved itself into the said Committee;

MR. ROBINSON need not go into a statement to prove the importance which had been attached by the House to the employment of Government Tug Boats on the St. Lawrence. This was well known and it was also known that similar importance was attached to it in the country generally. It was therefore not without astonishment, that it was heard by the trade that these boats were to be withdrawn and that without any notice, which might enable the trade to make other provisions for towage.³ And he was surprised to hear that the tug boats had been taken off the line above Montreal by the Government, and the more so, because the Legislature did not separate last year till August, and every opportunity had been afforded, of their giving timely notice of their intention, but which was not afforded till the following spring.⁴ He then went over the history of the withdrawal of these boats, and the remonstrance of the Board of trade of Montreal, upon the subject. He held that the reasoning of the Board of Trade was conclusive against the withdrawal without notice⁵. He considered the determination as having been come to unadvisedly, and by which there did not exist sufficient grounds, and particularly at a time when the contractors were making arrangements to place two additional boats on the line; there being already six, and never less than three at one time.⁶ And he knew that the large forwarders, though they had the whole trade in their hands, refused to make any contracts at fixed prices for conveying flour through the season.⁷ It was not till March, he said, that it was ascertained, that the Government had determined to leave the matter to public competition; when the Board of Trade addressed a letter, praying that the boats might be continued during the present season; as the forwarders had already increased the charge for towing vessels, and would not contract to any great extent to deliver

during the coming season⁸. Mr. Robinson then read Mr. Young's reply to the Board of Works. He proceeded to say that it was at present impossible for ship-owners to know whether they could get towed up after coming round; so that one with a heavy cargo was obliged to discharge at Kingston; others would not come down at all with flour; and of those that did come many had been exposed to great inconvenience.⁹ He (Mr. R.) knew numerous instances of return cargoes being refused, because there was no certainty as to when vessels would be able to return. The consequence was that sixty-four thousand barrels of flour were sent to New York in May, when the prices were better in Quebec and Montreal.¹⁰ He had heard of one instance in which a valuable cargo was detained for three weeks. The effect was that to the end of the 1st week in August thirty-seven sailing [sic] vessels only had come to Montreal instead of ninety-seven [as in] the year before. Freights had increased, as he understood, from 10s. per ton to 10d. per cwt., and the conveyance of railroad iron had been driven from the St. Lawrence to the New York routes. He thought considering the large expenditures on Spencer Wood and elsewhere, a few thousands might have been spent here without inconvenience. The true policy was to improve the system it had, not to destroy it. He then stated that up to a certain day in June last year not a barrel of flour had reached Ogdensburgh for reshipment, while up to the same time this year 68,000 barrels had reached that port.¹¹ The hon. gentleman concluded by commenting at great length on the report of Mr. Keefer on the subject, having read various memoranda in support of his views of the subject.¹² Last year the Board of Works reported that though the tug-boats required some improvement in their arrangement, the result of putting them on the service had on the whole been most satisfactory. How was it govt. changed opinion? He went on to say that the increased size of the steamers using the Canals might account for the increased tonnage passing the canals, while the quantity of produce reaching Montreal being equal to that of last year might be accounted for by the fact that the quantity on hand in Upper Canada was much larger than had ever been known; so that great quantities were diverted by other routes. Another thing which was justly complained of, was, that while the intention of the Board of Works was not generally known till the spring, it was said to have been known by some persons in the fall, who had made their business arrangements accordingly by engaging all the steamers. After some observations which were very indistinctly heard, Mr. Robinson impressed on hon. members for Lower Canada the importance of this question to the trade of their ports, which unless something were done would, he said, be speedily deserted. He was not bringing this matter forward as a party movement; but for the advantage of the trade of the country.¹³

C'est pourquoi je propose qu'il soit--

1. Résolu,--Que l'amélioration du fleuve St. Laurent, par la construction de canaux destinés aux vaisseaux autour de différents rapides, avait pour but de faciliter le transport des produits et marchandises de cette province, de l'Océan, et pour en diminuer les frais, ainsi que pour attirer aux ports de Québec et Montréal le commerce des Etats de l'Ouest.

2. Résolu,--Qu'afin de retirer tous les bénéfices de ces améliorations, il est essentiel d'offrir, à des prix raisonnables et fixes, des moyens rapides de passage aux vaisseaux naviguant [sic] sur le St. Laurent, soit par l'aide de remorqueurs à vapeur ou de chemins de halage reliant les différents canaux.

3. Résolu,--Que jusqu'à ce que des chemins de halage soient construits [sic], il est expédient et de nécessité immédiate de placer aux différents endroits du fleuve St. Laurent où cela est nécessaire, entre Lachine et Kingston (sous le contrôle du gouvernement) un nombre suffisant de remorqueurs à vapeur pour assurer au commerce du pays des moyens raisonnables et prompts [sic] de passage aux vaisseaux navigant sur le dit fleuve.¹⁴

MR. INSP. GEN. HINCKS said that as far as his individual opinions were concerned, he could approach the question with little difficulty.¹⁵ [He] had always greatly doubted the expediency of adopting the tugboat system. The hon. member who had just spoken so warmly about the essential necessity of these tug-boats, was, however, chairman of the Board of Works when the scheme was first proposed. Why did he not put them on?¹⁶

MR. ROBINSON said the canals were not then navigable.¹⁷

MR. INSP. GEN. HINCKS heard that reason for the first time.¹⁸ It was well known that the suggestion for establishing tug-boats first originated with the hon. member for Lincoln, who entertained a very strong opinion on the subject¹⁹. But while he was opposed to the tug-boats from the first, he did not object²⁰ to ... [trying] the experiment, although he could not see, on what sound principle the measure could be defended, particularly as the Government do not put on steam tugs between Montreal and Quebec. No case could be made out, he said, why they should make such a promise when it should be left open for public competition; which would meet the difficulty, if it were to the interest of owners of vessels to pay for such assistance as steam tugs would afford, the practical effect [or object] of which is to give sailing vessels²¹ the advantage which naturally belonged to steam vessels.²² He had, however, been willing, as he had stated, to give the experiment a trial, but from the commencement the public was given to understand that it would only be for a short time; but from the first, very great dissatisfaction was expressed, as was evident from the reports that had been made on the subject²³, [and] there were constant complaints of the service that was performed.²⁴ But the government were willing to continue the experiment for another year; and the result was reiterated complaints, notwithstanding the promises that had been made, that the boats should be more efficiently employed.²⁵ It was clear the parties who had contracted for the service could not be again advantageously employed.²⁶ With reference to the complaints therefore which had been made by the contractors, that they had not been justly dealt with, he thought the manner in which they had performed the service did not entitle them to any consideration. Then as to the effects on the trade resulting from the withdrawal of the steam-tugs, the hon. member for Montreal would go at length into that branch of the subject. There were two courses for the government to pursue--either to give up the employment of the boats, which he considered was the best; or²⁷ [since] no other boats could be found to supply their place²⁸ embark in the business themselves, build vessels, and employ the captains and crews, which would have resulted in²⁹ an immense amount of useless expense³⁰ to the public, and would not have been satisfactory; it was therefore deemed better³¹ to try to do without them³² [OR] leave the subject open to competition.³³ As to the charges of corruption³⁴, it had been insinuated, that some of the forwarders received early information of the intended withdrawal of the boats; which could not be substantiated, and which no person who knew the hon. member for Montreal³⁵ would attach the slightest credit to³⁶. The cause of the delay in giving notice, originated in the circumstance of³⁷ that hon. member³⁸ being obliged to leave the Province on public business³⁹ a short time before⁴⁰ he could make up his mind on the subject.... He (Mr. H.)⁴¹ therefore could not give the notice to the trade which was perhaps desirable; nor did he ... believe that notice was of any consequence to the public service whatever.⁴² He had heard a great deal as to the increase of freights, but he held in his hand a letter from a mercantile house, which was well informed on the subject, and the same information had been given to the hon. member for Simcoe himself, who appeared to have taken a great deal of trouble to ascertain what complaints existed. The letter stated that there had been no increase, except during the early part of the season; and that freights had been lower than was ever known

before; and there was no doubt [they] would continue to be moderate. But whether it were so or not, the Government could have pursued no other course than [that which] they had done ... [they] had taken the best [alternative]. As so much had been said on both sides, he could only remark in conclusion, that he was not prepared to express it as his opinion, that under any circumstances it would be proper to adopt the system or engage with the same parties and have a repetition of the same delays. And with those few observations, he said he would leave the subject in the hands of the hon. member for Montreal.⁴³

MR. YOUNG said, before going into any remarks with reference to the observations of the hon. member for Simcoe on the subject of receipts, he must be permitted to state, that before entering the government he gave up business entirely, and had no more to do with it than any other member of the House. No matter what might be the sacrifice, he was determined to make it, in order that improper motives might not be attributed to his public conduct. Neither had he consulted the forwarders although from his intimacy with one of them, it had been insinuated that he had played into their hands.⁴⁴ In reply to the charges which had been made of collision with the forwarders, [he] stated that so far from its being true that his friend Mr. Holton⁴⁵ [OR] Mr. Kalton had written him upon the subject ... and endeavoured to dissuade him from the course he had determined to pursue, ... he yielded to no one in the interest which was felt in the trade of the St. Lawrence.... He said⁴⁶ no man was more interested than himself in the trade of the St. Lawrence.⁴⁷ He had sent the first vessel that made the voyage from Montreal to Chicago; and during the last ten years had been extensively engaged in the trade of the St. Lawrence; and had induced persons at the West to come down the river as far as Montreal and Quebec⁴⁸, and had in other ways forwarded the trade of the West with the St. Lawrence.⁴⁹ He must claim the indulgence of the House in stating facts to which he was about to refer, because there had been so many misstatements, and the public mind had been poisoned to such an extent, that otherwise it would be impossible to judge correctly. He then alluded to the determination of the Board of Works in 1849 to employ steam tugs; from which time till their discontinuance, there had been continual complaints made as to the detention of vessels.⁵⁰ He himself had about half the schooners, which came down in the year 1849 consigned to himself, and he was very particular in ascertaining all the particulars respecting the cost and manner of towing.⁵¹ He took every pains [sic] to investigate the subject, and to communicate with the Government. He had known vessels detained eighteen days on their passage, for [want of] tug boats; and had himself a vessel which waited six days at Prescott. The Captain being an active, enterprising man, took a small tug boat; the consequence was, the vessel got aground, and her cargo of pork was injured to the amount of £400, and it cost upwards of £1000 for repairs. Five vessels came to him during the season, which had suffered⁵² enormous losses⁵³ from the insufficiency of tug-boats, and although the Government, from time to time, tried to remedy the difficulty, yet each succeeding year was as bad as the preceding; and when he became a member of the Administration, with a thorough knowledge of the facts, and having made farther enquiries, he came to the conclusion⁵⁴ [that] it was best to discontinue [sic] the boats altogether [and]⁵⁵ to leave the matter to the effects of public competition. The hon. gentleman here read a variety of letters dated in 1850⁵⁶ from persons connected with sailing vessels, all complaining of the insufficiency of the service performed by the tug-boats⁵⁷, and from the report of Mr. Keefer in 1851, confirmatory of what he had advanced: he said no doubt could be entertained that great detention occurred, with reference to vessels coming down the St. Lawrence. He believed the object of putting on steam-tugs was to cheapen freights; as [with] money being given to contractors for towing vessels, no other person could compete with them, as they would put the rates so low that competition was impracticable, or else they would do their work badly;

which had been the result in the present instance; and it was his firm conviction, that unless the tug-boats were removed, the St. Lawrence route would be abandoned. With reference to the rates of freight, to which allusion had been made by the member from Simcoe, he stated that in the spring of 1851, up to the 5th July,⁵⁸ there was no flour brought to Montreal at less than 1s 3d, though the rate subsequently fell to 10d per bbl. Now he held documents which proved that in the present year freights on the American side of the lakes was [sic] 25 per cent higher than last year; there was also a greater amount of produce to move; and the spring began eleven days later. He had gone to the forwarders books, and had found them in spite of these things, freights in 1851 were, up to 12th July, 13d, then 1s, 11d; and 10d late in the season. This year to 7th July, the highest rate was 1s 6d for two cargoes only. On July 12th the rate was down to 1s, just as early as last year. It remained at that rate till the 19th of August, and went down at that time to 10½d, and one cargo at 9d, which latter rate had continued throughout August--the month in which last year it cost 11½d. The average rate this year throughout the season was 1s 2d, and last year 1s 4d. Upward freights this year had also been rather lower than last year, [and] than ever before. These were prices of real transactions, and were taken from the books of all the forwarders, and signed by those gentlemen.... In answer to the statement that our flour was being driven to Ogdensburgh, in consequence of the high freights, he said he had showed that these freights were lower this year than last⁵⁹. He held in his hand a document carefully prepared, which showed that the rates of freights this year on the American side are over twenty five per cent more than they were last year, owing to the large quantity of produce that had accumulated on the canals, owing to the late period at which they were opened this season. With reference to what had been stated, as to the intentions of the Government not being sooner known, he contended that an earlier notice should have made no difference. In relation to the business which had been done, during the present year, he said in making a proper estimate, it would be necessary to take into account the number of days, during which the navigation had been opened⁶⁰. He then read the returns, which have already appeared in the papers, showing that up to the 31st July the movement per day through the St. Lawrence canal had been greater than last year; the number of days, however, being 89 this year to 98 last year.⁶¹ Owing to the lateness of the spring this year ... it would be found that up to July there had been an excess of business this year over the last. And whatever might be the state of the downward trade, he had no doubt that the property forwarded upwards during the present season, would be found at its close, to have been as great as during the last. The reason why an excess of produce finds its way to Ogdensburgh and Oswego, he said, was attributable to New York and Boston affording better markets for shipment, than the route of the St. Lawrence.⁶² Throughout the hon. gentleman's speech the noise of putting up stove pipes completely drowned his voice.⁶³

MR. ROBINSON briefly replied; and attributed the favourable statements which Mr. Young had read, to their being made by forwarding houses, it did not follow however that other persons did not take less; and even if shipments had been as large this year as the last, it could not be denied that there had been a falling off of tolls.⁶⁴

MR. MERRITT said he did not rise for the purpose of going into details, and of expressing his views upon a subject to which he had devoted much attention.⁶⁵ [He] desired to place the House in possession of information as to the necessity of tug boats.⁶⁶ The hon. member for Montreal had stated that the object of placing steam-tugs on the river was to cheapen freights; but this was not the only object. When the Rideau Canal was opened, it was found that instead of having the effect of lessening freights⁶⁷ in that direction⁶⁸ they were higher there than

on the St. Lawrence⁶⁹ where [previously] there was no canal at all.⁷⁰ The reason of which was ascertained to be the want of tow-paths. The canal was consequently imperfect⁷¹ [and] incomplete⁷², and the trade fell into the hands of monopolists; two or three forwarders monopolising all the business. It had been remarked [that] they did not find Government any where else interfering in the manner that was proposed, and that competition is generally wisely left to individuals. But monopoly can exist in other countries, where the Captain of a vessel can avail himself of a favorable wind.⁷³ In New York Harbour a man with a vessel, could by waiting a little while, obtain a wind; but this was not the way on the canals⁷⁴. Let gentlemen look at the St. Lawrence, and consider how different is the navigation there; where vessels cannot ascend without the aid of tug-boats or some other power.⁷⁵ If you put the motive [of] power into the hands of any company, you would always have the work badly done. What was wanted was a tow path which anybody could see, and the tug boats were to the river helme on the canals what the tow path was to the canals itself [sic].⁷⁶ If there were a tow path on the river these tug-boats would not be required. He would admit the correctness of all that had been said, as to the insufficiency of those which had been referred to; and had no doubt of that of the letters which had been read. The boats that were employed were old ones, which were engaged in towing rafts; and the consequence was, that every body complained. Finding that to be the cause, he reported strenuously in favour of the Government building tug-boats of not less than a hundred horse power, and which should not draw less than four feet of water, and which should take up every vessel in her turn. He proposed that the boats should leave Kingston every afternoon; and by having two or three tug-boats, there would be a direct line, and the owner of every vessel, would feel a certainty equal to that which is afforded by a tow-path on the Welland Canal. This, he said, would have the effect of cheapening freights, which⁷⁷, in spite of what had been said⁷⁸, he was satisfied are higher this year than they were last; because the steamboat owners have combined together with a view of getting higher prices; and this system is carried out through the entire line⁷⁹. He wanted no calculation about it.⁸⁰ Another boat has also been purchased at an extravagant price, in order that those individuals may have the control; and as an evidence of this, freights are higher. He was desirous of calling attention to the subject; the Government must either establish tow-paths on the St. Lawrence or put on tug-boats, which are to carry freight; and the only question they have to determine is which will be the cheapest. Vessels enter the Erie Canal, where tow-paths are provided⁸¹ by those who built the canal⁸², and such is the competition, that freight is carried back on returning, for the mere expense of the tolls⁸³, and the same thing was required on the St. Lawrence to secure competition between vessel and vessel.⁸⁴ The Inspector General, he said, had alluded to the plan originating with him (Mr. M.). As he had stated, he represented the subject to Mr. Draper, a number of years since, who determined upon carrying it out. But out came Mr. Hincks, who at that time wielded another power; and who said so much about Government becoming forwarders and monopolists, that they were frightened out of their wits, and the plan was abandoned. If he were in the Board of Works, he would to-morrow establish a daily line down, and be responsible for its success; and the result would be the cheapest freight. He concluded by repeating that he made the statement he had, for the purpose of calling attention to the subject; and he would advise members not to be swayed by what is read in opposition. Were such a line of tug-boats established as he proposed, and the channel were deepened, freight would be reduced to three-pence per barrel. Was there any line that would compete with the St. Lawrence under these circumstances? The present rate of one-shilling he considered as double what it should be. Put on tug-boats, he said, and leave the trade open to competition.⁸⁵

MR. LANGTON in answer to the Inspector General, said it appeared to him that inasmuch as sailing vessels, which were most fit for the Lakes, were not well fitted for the river, it was only right that they should be put on an equality with the steamers so far as concerned the river. Justice to the canals demanded this. The steamboat trade required so large a capital that it was impossible for any real competition to arise, so long as the trade was confined to them. Therefore to withdraw aid from the sailing vessels was to leave a monopoly to the great forwarding companies. As to the arguments of the hon. member for Montreal, put forward in his report, it went to this effect that there were unfavourable circumstances this year; but that in spite of them more produce per day had been moved this year than last. But the fact was that in proportion as the time during which the navigation was going on was short, in that proportion would the average movement per day be increased, unless it could be shown that last year the canal had done as much as it could do. As it was, there appeared to be an increase of the movement on the canals amounting [*sic*] to about 15 tons per day, which seemed to him not to be equal to what the shortness of the season ought naturally to have produced. This increase amounted to the large amount of nearly one per cent. But if the increase this year had gone on in the same ratio as in the preceding years, the movement, instead of 1500 tons per day, ought to have amounted to 2200 tons. Now he himself knew that there were gentlemen in the trade, not only who had to pay higher freight than last year; but who, absolutely could not send their produce to market by the St. Lawrence at all. There was no doubt that the produce of Upper Canada had increased as rapidly as ever: what then had become of the surplus which ought to have descended the St. Lawrence? Much had gone to the United States, and much more would have gone, had not the persons, who had it to send, been bound in consequence of advances from Montreal House to send it to them.⁸⁶

MR. BROWN thought the Government had entirely failed to make out a case in defence of the step they had taken. Their first position was that the discontinuance of the Tug-boats had done no harm, and had not increased the Freights⁸⁷, for that business had not fallen off.⁸⁸ He thought this could not be maintained in the face of the array of facts presented by the hon. member for Simcoe⁸⁹, in favour of the contrary view, and he knew himself [of] many cases, which convinced him that it had done so.⁹⁰ There were also facts known to every one, that could not be got over. There was the fact that Iron for the Western Railroad of Canada had been received by the Erie Canal instead of by the River, and the Directors affirmed that it was in consequence of the withdrawal of the Tugs. There was also the fact that an immense quantity of Flour which last year went by the St. Lawrence, has this year been exported by the Ogdensburg Railway, and that a large fleet of Canadian Schooners is now employed by that line in bringing down freight. He (Mr. Brown) could also state that the owner of a schooner assured him that in consequence of the withdrawal of the tugs, he lost £50 on one trip from Chatham to Montreal. He thought it was not a sound test of the effect of the change to compare the freight transported last year and this year, as the hon. member for Montreal had done. The 10 days later date of opening the Canal would not effect the quantity transported after the lapse of months. It would only cause a pressure at the opening of the Canal which must have long since passed.⁹¹ He thought the argument of Mr. Langton perfectly just, and the fact that could not be got over was that⁹² the trade of 1851 at the 31st August might fairly be compared with that of 1852 to the same day--he found the falling off of tolls on the St. Lawrence Canal alone £1,200.⁹³

MR. ROBINSON said £1,900.⁹⁴

MR. BROWN:--It was therefore clear that the trade was seriously affected. And it was not only the positive decrease--the number and tonnage of Canadian crafts

was largely increased and the trade of the country is also largely increased; the traffic on the Welland continues to progress rapidly; and the fair conclusion is that but for this unfortunate movement of the Government, a largely augmented revenue would have been received from the St. Lawrence Canals. But the next position of the Government was that they had tried the Tug-boat system, and it had failed. He did not think they had made out that. It was clear at any rate, that bad as the system might have been, it was better than the present--for more business was done. The letters of complaint which had been read, ran over a long space of time and really did not amount to much.⁹⁵ A great deal more might have been done to set the thing right.⁹⁶ Were the complaints inquired into? Were the contractors taken to task? Was any attempt made to improve the facilities given? It appeared to him that the contract with Messrs. Calvin, Cook & Co. was but an experiment preparatory to putting on more efficient boats.⁹⁷ There never was any fair competition invited for the service, and the boats engaged could never have been intended for permanent service.⁹⁸ The short notice given of the contract prevented that competition which might have been excited. And had the Government given timely notice and given out the contract for a term of years--the performance of the service might have been very different. But the Government contend next that there was no sound principle on which they could employ Tug-boats on this service--⁹⁹ that private enterprise would supply the want of tugboats if they were wanted; but this argument came with peculiarly bad grace from those who had just concluded a contract for a line of steamboats to Quebec and Portland.¹⁰⁰ If it were right on the Ocean, it must be doubly right on the Canal¹⁰¹, [and] if it were wrong on the river it must be wrong there. There was, however, a principle which was this--that the canals were the property of the Province, and that the tug boats being necessary to connect one canal with the other must be considered as a part of them. The fact was that either this plan must be maintained, or the sailing vessels must be abandoned; but sailing vessels were the cheapest mode of conveyance, and therefore to abandon them would be to abandon the most certain way of keeping up the communication between the Lower St. Lawrence and the west, in favour of our own canals and shipowners.¹⁰² But it appeared to him that the chief cause of complaint against the government had not been met. That complaint was as to the harsh manner in which the boats had been withdrawn. It had been done at the very opening of navigation, without almost any notice to the trade, and to the great inconvenience of many valuable citizens. He thought the conduct of the government deserved strong condemnation.¹⁰³

MR. INSP. GEN. HINCKS now addressed the hon. member for Simcoe as there was no responsible head of this department, to allow the Committee to rise. There was an insuperable difficulty in the way of the government owning steamers, or in engaging with the same persons who had failed before; but he had no insuperable objection to having tug boats on the St. Lawrence.¹⁰⁴

MR. SMITH said that he thought the great error committed before, was in giving the contract to a firm, who, being engaged in towing rafts and also their own vessels, were frequently inclined to give preference which they ought not to have done. Besides the steamers, which had been employed to tow rafts were not the sort of thing for this service. He thought the service ought to be divided among several contractors, and that each one ought to be held liable for damages which his delays might cause to any individual. Heretofore it had happened that they contended they were not liable in that way and that they knew no one but the Government.¹⁰⁵

The Committee then rose and reported progress.¹⁰⁶

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Smith of

Durham reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again, on Tuesday the fifth of October next.

MR. INSP. GEN. HINCKS¹⁰⁷ then moved, seconded by Mr. Badgley, an humble address to Her Majesty on the subject of the fisheries, which was received with cheers, and unanimously carried.¹⁰⁸

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Resolved, That an humble Address be presented to Her Majesty, to express the grateful sense which this House entertains of the prompt attention which it appears, by the Despatch of the 27th May, 1852, from the Right Honorable Sir John S. Pakington, Her Majesty's Secretary of State for the Colonies, to His Excellency the Governor General, Her Majesty's Government has given to the representations made on the part of this Province, and of other Provinces of British North America, on the subject of the encroachment of the Fishing Vessels of the United States upon those waters from which they were excluded by the terms of the Convention of 1818, and of the readiness with which Her Majesty's Government has sent out a sufficient Naval Force to enforce the observance of that Convention; and also, to express the confident hope which this House entertains, that no Treaty will be made with the United States of America, by which any of the rights secured to the British Fishermen by that Convention may be ceded or impaired, unless such Treaty shall also include provisions embracing the whole policy of the commercial intercourse between the said United States and the British North American Colonies.

Resolved, That the said Resolution be referred to a Select Committee, composed of the Honorable Mr. Hincks, the Honorable Mr. Badgley, the Honorable Mr. Robinson, the Honorable Mr. Chabot, and Mr. Langton, to prepare and report the draught of an humble Address to Her Majesty, pursuant thereto.

MR. INSP. GEN. HINCKS¹⁰⁹ again moved¹¹⁰ for leave to bring in a bill to amend the laws relative to the University of Toronto, by separating its functions as a University from those assigned to it as a College, and by making better provision for the management of the property now vested in the Corporation of the said University, or in that of Upper Canada College. He would state in a few observations the course which the Government intended to pursue with respect to that institution. He would say at the outset that it is with some reluctance that the Government comes forward at this session to propose an amendment to the existing law; but, after some consideration, they have arrived at the conclusion that it is necessary to proceed without loss of time to legislate on the subject. It must be admitted that the expectations of the administration which brought forward the existing law have not been realized. It was hoped that an institution would be founded which would obtain the confidence and support of the community at large, and that the other colleges throughout the country would be affiliated to it. It must be admitted that such support has not been obtained (hear, hear). It is a fact very well known that there are four of the leading denominations in Upper Canada who do not give their support to the institution, as at present constituted. Under these circumstances, the Government have thought that the best course to reconcile all existing differences will be to adopt a system which has been found to work most successfully in England. He referred to the University of London, where the University consists of the Chancellor and Senate who possess power to appoint Examiners entirely unconnected with any other college; and by them the Degrees shall be awarded to students, bringing certificates of having studied in certain recognized Colleges throughout the country. This system will remove one difficulty now experienced; that is, that the young of the Province are compelled to resort to the city of Toronto for their education if they desire to obtain University honours; as it will enable all the Colleges throughout the country, east, west, north and south, wherever there is a population sufficient to support a college--

to become affiliated with the University; and if the funds increase--as he thought they might do, if a greater degree of economy than at present, owing to some peculiarities, were exercised, there will be sufficient surplus funds to enable University College--for it will still be known by that name--to give aid to such colleges as are now or may hereafter be established. (Hear, hear.) Now, the system it is proposed to adopt differs in this respect from the bill proposed by the hon. member for Kingston, and by the Government of which he was a member. That bill contemplated a division of the endowment among certain sectarian colleges then existing, to the entire exclusion of what he might call the College of the People, which is open on equal terms to the youth of all the Province. He proposed to maintain this college with ample endowments, if they were economically managed under the name of University College, but to be entirely separated from the University. There is another part of the scheme of considerable importance. It is believed by the Government that there ought to be sufficient means in the country without aid from the public for the establishment of schools to instruct youth in these generally lucrative professions. If the gentlemen who are connected with the present medical school of the University desire to continue a school themselves, he thought there would be no objection on the part of the Government or on the part of the House to incorporate them with all the privileges now enjoyed by other schools of medicine; and thereover, if it should be considered expedient that any aid should be extended to them, as is the case of McGill College, there is no reason in the world why they should not make application to Parliament. If they desire such aid they will receive it, but they will not be entitled to privileges greater than those now enjoyed by other schools of medicine in the Province. The only other feature of the scheme to which he would advert is the management of the endowment which he proposed to take out of the hands of the corporation, and to rest it in the Crown, to be managed on the responsibility of the Crown, and the accounts to be submitted to Parliament Annually. He felt persuaded that the bill would give general satisfaction to the country, and reconcile all the existing differences.¹¹¹

MR. BROWN.--Hear, hear, hear.¹¹²

MR. MERRITT enquired whether the bill contained an accounting clause, to enable the House to learn annually the state of the expenditure.¹¹³

MR. INSP. GEN. HINCKS.--Most unquestionably it does.¹¹⁴

MR. BADGLEY enquired whether the bill would appropriate any portion of the endowment to the support of Grammar Schools, as had been contemplated by the bill of the hon. member for Kingston?¹¹⁵

MR. INSP. GEN. HINCKS.--No.¹¹⁶

Leave was then granted, and the bill was introduced and read a first time.¹¹⁷

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Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to amend the Law relating to the University of Toronto, by separating its functions as a University from those assigned to it as a College, and by making better provision for the management of the Endowments thereof, and that of Upper Canada College.

He accordingly presented the said Bill to the House, and the same was received and read for the first time;

MR. INSP. GEN. HINCKS moved that it be read a second time this day fortnight.¹¹⁸

MR. BROWN hoped that that motion would not be assented to. The bill appeared to place new sources of corruption in the hands of the Government. That appeared to be the main object; and he felt convinced it would excite great astonishment

in Upper Canada. An entire change had recently been made in the institution--it had not yet received a fair trial; and not a hint has been given to the public that a further change was intended. It would be, of course, premature to enter now into a discussion, but he congratulated the hon. gentleman on his appropriation of the old partition scheme of the hon. gentlemen opposite. He hoped that the bill would not be read so soon as proposed, but that the country would have time to consider the subject. At least three or four weeks should pass before they asked to proceed to the second reading.¹¹⁹

MR. INSP. GEN. HINCKS said that those who have been in Parliament with him for any length of time did not need to be informed that he is not in the habit of pressing any measure when an honorable member desires delay. He would allow the notice for a second reading to stand for this day fortnight, and if the member for Kent were not then prepared to go on with the bill; if he wanted time to ascertain the state of public opinion, and should not be disposed to exercise his own judgment as an independent member, he (Mr. H.) would postpone the motion.¹²⁰

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and ordered to be read a second time on Tuesday the fifth of October next.

MR. INSP. GEN. HINCKS¹²¹ moved for leave to bring in a bill to enlarge and better to define the Elective Franchise, and to provide for the registration of voters in certain electoral divisions of the Province. He would state very briefly, the principles on which he proposed to proceed. Instead of the present electoral qualification, the bill extends the franchise to all rated on the Assessment roll for real property to a certain extent, but there will be a provision excluding persons indebted to the Crown from exercising the privilege of voting. With that exception, all persons rated on the Assessment as holders of real property to the amount of £50 will be voters. It is also proposed to establish a system of registration, which can be carried into effect by using the existing Municipal institutions; in fact, the present assessors will also make the registration, and a simple mode of appeal lies to the same board which will decide appeals from the Assessment. It is also proposed to reduce the qualification for voters in the cities and towns. These are the principal features of the bill. It will not be possible to extend its operation to Lower Canada, because the machinery does not exist in the Municipal institutions in that section of the Province, with the exception of the cities of Montreal and Quebec, where it is supposed that it may be used with advantage, to effect registration.¹²²

Leave [was] granted, and the bill was read a first time, and ordered to a second reading on this day fortnight.¹²³

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Ordered, That the Honorable Mr. Hincks have leave to bring in a Bill to extend the Elective Franchise, and better to define the Qualifications of Voters in certain Electoral Divisions by providing a system for the registration of Voters.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday the fifth of October next.

On motion of the Honorable Mr. Young, seconded by the Honorable Mr. Merritt, Resolved, That this House will immediately resolve itself into a Committee, to consider the expediency of amending the Acts providing for the improvement of the Harbour of Montreal, and for deepening Lake St. Peter, and improving the navigation of the River St. Lawrence between Quebec and Montreal.

*The House accordingly resolved itself into the said Committee;*¹²⁴

Sur motion de l'honorable M. YOUNG, la chambre se forme en comité général pour considérer des résolutions ayant pour but d'autoriser les commissaires du

hâvre de Montréal à emprunter une certaine somme d'argent pour certains ouvrages nécessaires ou utiles dans le havre de Montréal et pour le creusement du lac Saint-Pierre, et, à ce que l'on comprit, d'accorder la garantie de la province à cet effet.

M. Young expliqua en quelques mots les résolutions qui allaient être mises aux voix et adoptées, la chambre ne les ayant pas entendues ou n'y faisant pas attention....¹²⁵

MR. TESSIER se leva et dit:--

M. le président, je m'oppose à la motion de l'hon. représentant de Montréal (M. Young), non pas que je désire empêcher l'amélioration du havre de Montréal ou du lac Saint-Pierre, mais parce qu'on veut engager le crédit de la province à ce sujet. Je n'ai aucune objection à accorder aux commissaires du havre de Montréal la permission d'emprunter la somme mentionnée dans ces résolutions, mais j'objecte à la garantie de la province en cette affaire. Qu'a besoin Montréal de cette garantie? Est-ce que Montréal n'a pas trouvé dernièrement dans son sein des capitalistes capables de s'engager pour un montant de £600,000 pour la construction d'un chemin de fer?¹²⁶

MR. AT. GEN. DRUMMOND.--C'était sur le papier!¹²⁷

MR. TESSIER.--D'ailleurs, M. le président, plus la province s'engage de cette sorte pour sa garantie, plus son bilan paraît chargé, et moindre sera son crédit. Je crois donc que nous ne devrions pas voter pour cette dernière partie des résolutions. Pour ma part, je voterai contre.¹²⁸

La résolution, contre laquelle venait de parler M. Tessier, ayant été mise aux voix, et son adoption paraissant plus que douteuse, l'honorable M. YOUNG proposa de lever la séance du comité, et demander le pouvoir de siéger de nouveau plus tard. Ce qui fut adopté.¹²⁹

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Gouin reported, That the Committee had made some progress, and directed him to move for leave to sit again.

Ordered, That the Committee have leave to sit again, on Friday next.

MR. AT. GEN. DRUMMOND¹³⁰ moved for leave to introduce a bill to provide a uniform mode of incorporating Societies formed for charitable and educational purposes. He made some remarks in explanation. He believed that societies for benevolent purposes, should receive the same corporate powers as societies for the accumulation of wealth; and that a general bill was desirable for that purpose. The powers required were single, and consisted of the right of holding property and disposing of it in the same manner as an individual. He knew that prejudices existed in the community against such incorporation, but he thought they arose from misconception. He knew that in former times great evils had arisen from property falling into mortmain in the hands of corporations, but no such evil could result from the corporations, that might be established under his bill. It was not of a sectarian or denominational character, but was open to all.¹³¹

Motion carried after some conversation in which MR. AT. GEN. DRUMMOND, stated in answer to Mr. Brown, that the bill did not include ecclesiastical corporations.¹³²

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Ordered, That the Honorable Mr. Attorney General Drummond have leave to bring

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in a Bill to provide a uniform mode of incorporating Societies formed for Charitable

and Educational purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

The House, according to Order, resolved itself into a Committee on the First Report of the Select Committee appointed to revise the Rules of this House, and to consider and devise means calculated to expedite the performance of its duties;¹³³

The House went into committee of the whole on the report of the committee on Rules. A couple of hours were spent in discussing that part of the report in favor of altering the mode of presenting petitions; after which it was resolved to adhere to the old mode. The remainder of the report was adopted, and the committee rose and reported.¹³⁴

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and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Boulton reported, That the Committee had come to several Resolutions; which were read, as follow:--

1. Resolved, That the 6th Rule of this House be rescinded.
2. Resolved, That all Notices of Motions for leave to present a Bill, Resolution, or Address, or for the appointment of a Committee, be made in writing and signed by the Member giving such Notice, and laid on the table of the House each day before five o'clock, P.M., and that the said Notices be printed with the Votes and Proceedings of this House; and that two days be allowed to elapse between the giving of the said Notices and the consideration of the subject thereof.

The said Resolutions, being read a second time, were agreed to.

A Bill to supply an omission in Schedule B to the Act to amend the Upper Canada Municipal Corporations Law Amendment Act of 1850, was, according to Order read the third time.

Resolved, That the Bill do pass, and the Title be, "An Act to supply an omission in Schedule B to the Upper Canada Municipal Corporations Law Amendment Act of 1850."

Ordered, That Mr. Stevenson do carry the Bill to the Legislative Council, and desire their concurrence.

The House, according to Order, resolved itself into a Committee on the Bill to remove doubts as to the powers of the Junior Judges of County Courts in Upper Canada; and after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Langton reported, That the Committee had gone through the Bill, and directed him to report the same, without any amendment.

Ordered, That the Bill be read the third time To-morrow.

The Order of the day being read, for resuming the adjourned Debate upon the Amendment which, upon Friday the tenth instant, was proposed to be made to the Question, That the Bill to authorize the appointment of Assistant Judges of the Superior Court for Lower Canada in certain cases, be now read a second time; and which Amendment was, That the word "now" be left out, and the words "this day six months" added at the end thereof;¹³⁵

Sur motion de l'honorable M. AT. GEN. DRUMMOND, les débats sur son bill pour la nomination de juges suppléants dans le Bas-Canada furent repris.¹³⁶

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And the Question on the Amendment being again proposed:--The House resumed the said adjourned Debate.

MR. AT. GEN. DRUMMOND.--Avant de soumettre ce bill au vote de la chambre, je crois devoir dire un mot à propos des intentions que l'on a prêtées sur ce sujet

à l'administration provinciale.

Je dois déclarer, M. l'orateur, que ce bill est un des plus difficiles que nous ayons à vous présenter durant cette session. Ce n'est pas par plaisir que nous avons amené ce projet de loi, car, je le répète, peu de choses sont plus désagréables.

Néanmoins, afin de montrer aux honorables membres que le gouvernement n'a pas intention de créer une fournée de juges suppléants, je consens à retrancher le proviso, ce qui bornera le pouvoir du gouvernement à la nomination d'un seul nouveau juge, s'il est besoin. Il ne sera peut-être pas nécessaire même de nommer un juge suppléant à Sherbrooke.

En effet, chose remarquable, dont nous n'avons pas d'exemple depuis 20 ans à Montréal, et qui parle fortement en faveur du nouveau système judiciaire que nous avons, c'est qu'à Montréal toutes les causes ont été décidées et jugées. Il est donc probable qu'un juge de Montréal pourra se rendre à Sherbrooke pour le terme du 24 de ce mois.

Néanmoins, si M. Gairdner continue d'être malade, le gouvernement devra nommer un juge suppléant; mais il ne le nommera que dans ce cas seulement. Il faut donc que le gouvernement en obtienne le pouvoir, s'il en est besoin.¹³⁷

MR. BOULTON dit que le bill tel que vient de le modifier et amender l'honorable procureur-général est bien changé d'apparence; néanmoins il aimerait à savoir si par hasard on ne profiterait pas de la passation de ce bill-là pour nommer un juge suppléant à Québec, en place de celui qui était malade lorsqu'il fut nommé, qui est encore malade, et paraît devoir continuer de l'être.¹³⁸

MR. AT. GEN. DRUMMOND.--Il n'est pas juste, M. l'orateur, de faire des allusions semblables à l'honorable juge pour Québec. Il n'est pas juste de dire que, quand il fut nommé, il était incapable d'agir. Il est vrai que depuis sa nomination ou peu de temps après il est tombé malade, et sa santé est devenue si mauvaise qu'il est presque incapable de siéger. Mais quand l'honorable juge fut nommé, il était au barreau de Québec renommé pour son intégrité, pour son excellent jugement; il était haut placé dans l'opinion du barreau.

Il n'a pas été nommé par le gouvernement actuel. Et, d'ailleurs, que voulez-vous faire? Pouvez-vous destituer un juge parce qu'il est malade? Irez-vous lui donner une pension, lorsqu'il n'a encore été que peu d'années sur le banc? Qu'en ferez-vous donc? Impossible de le destituer, impossible de le pensionner; le fusillerez-vous? (Rires.) Tout ce que le gouvernement peut faire et tout ce qu'il fera, ce sera une enquête pour savoir quel moyen adopter pour rendre l'administration de la justice plus effective.¹³⁹

MR. INSP. GEN. HINCKS fait remarquer que le juge en question n'était pas un partisan politique de l'administration précédente; qu'au contraire il avait des opinions toutes différentes. Sa maladie a été hors du contrôle du gouvernement, qui, en le nommant, rencontrait les désirs du barreau de Québec et du public, et ne pouvait pas savoir que bientôt l'hon. juge serait ainsi affligé.¹⁴⁰

MR. LEMIEUX dit que l'hon. juge, lors de sa nomination, jouissait de la confiance générale, tant pour sa capacité que pour son intégrité. C'était une des meilleures nominations d'alors. La presse en parla ainsi. Et quant au barreau de Québec, il avait toute confiance en l'hon. monsieur, et le regardait comme un des premiers jurisconsultes du pays. La maladie n'a atteint l'honorable juge que plusieurs mois après sa nomination, en sorte que l'hon. juge a pu aller à plusieurs circuits dans les comtés de Saguenay, Kamouraska, Dorchester et Portneuf, et jamais on ne s'est plaint de ses jugements.¹⁴¹

MR. STUART.--Selon moi, M. l'orateur, on a ôté quelque chose de mauvais au bill, mais le pire y subsiste encore. Ce bill donne, en effet, au gouvernement le

pouvoir de nommer des juges suppléants chaque fois qu'il le jugera à propos.

Je m'opposerai à la passation de cette mesure, parce qu'elle aura pour effet de permettre à l'exécutif d'intervenir dans l'administration de la justice. Le juge suppléant sera sous l'influence immédiate du gouvernement, qui pourra prolonger ou diminuer son temps d'office selon qu'il le trouvera bon ou que le juge sera complaisant.

Je voudrais une loi que ferait que les juges actuels pussent remplacer leur confrère malade, sans que le gouvernement pourvût autrement au remplacement des juges incapables d'agir par maladie.

Le bill de l'honorable procureur-général mettrait le juge malade sous le contrôle et à la merci du gouvernement, qui aurait à décider combien de temps le juge suppléant le remplacerait sur le banc.

Pour ces raisons, je voterai contre ce bill, qui évidemment violerait l'indépendance de la justice.¹⁴²

DR. FORTIER dit que, quand sir James Stuart a obtenu un congé et est parti pour l'Europe pour rétablir sa santé, on n'a pas fait de récriminations; on a dit qu'il était malade, qu'il allait respirer l'air natal. Mais si un juge canadien tombe malade, ce n'est plus la même chose; c'est un grand crime.

Il ajoute qu'il voit là une injuste marquée. Car qu'un juge soit malade, rien d'étonnant, c'est selon la nature. Pourquoi donc des remarques sur le juge canadien et ce silence à propos de l'autre? Si sir James Stuart était demeuré malade en Angleterre, on ne ferait pas les mêmes objections, parce qu'un certain parti prendrait fait et cause pour le régime.¹⁴³ Dr. Fortier [also] complained of the crimination of the ministry for the appointment of Judge Bacquet.¹⁴⁴

MR. MACKENZIE ridiculise le gouvernement qui, voyant l'opposition forte qu'on fait à son bill, annonce qu'il retire le proviso, qui lui ôte un peu de pouvoir. Néanmoins, selon M. McKenzie, ce bill en donne encore trop au gouvernement, qui interviendra indubitablement dans l'administration de la justice.¹⁴⁵ [He] held that out of the nineteen judges for Lower Canada some ought to be able to be spared to do the work of a sick judge.¹⁴⁶

A long conversation followed¹⁴⁷.

MR. SOL. GEN. CHAUVEAU parle des difficultés que le gouvernement éprouve à pouvoir faire suppléer un juge par un autre. Il cite le district de Kamouraska qui a été quatre mois sans juge, parce que le juge résident est malade; il était impossible d'en prendre un autre à Québec, les autres cours nécessitant la présence des juges. Quant au juge de Chicoutimi, on a dit précédemment qu'il n'avait pas tenu la cour durant un certain terme. Eh! bien, la raison de cette absence était que l'hon. juge perdait dans une même semaine sa soeur et sa mère, et que rendu à Québec il ne pût se rendre au Saguenay, vû un abât de neige qui rendait les chemins impraticables. Ce que l'administration demande, c'est que le gouvernement ait le pouvoir, s'il est besoin, de nommer un juge suppléant, qu'il ne sera peut être pas très facile à trouver. La Chambre doit donc voir que le gouvernement ne demande qu'une chose fort raisonnable.--M. Chauveau répond ensuite à M. McKenzie.¹⁴⁸

MR. BADGLEY croit qu'il y a déjà assez de juges et que ce bill n'est pas nécessaire.¹⁴⁹

MR. AT. GEN. RICHARDS répond en peu de mots à M. Badgley.¹⁵⁰

MR. TESSIER.--D'après les observations de l'honorable membre pour Dorchester, je vois, M. l'orateur, qu'on a cru ou semblé croire que j'ai voulu attaquer le caractère du juge en question. Il n'en est rien. Seulement, j'ai déclaré, et je le répète, que l'état de sa santé depuis deux ans le rend incapable de siéger. Pourquoi le gouvernement n'agit-il pas lorsqu'il apprend que le juge siége, et qu'on s'en plaint et que l'on objecte à sa présence? Pourquoi ne pas lui porter secours? Pourquoi le forcer à se traîner péniblement tous les jours dans le malheureux état où il se trouve?

M. l'orateur, je m'opposerai à ce bill, non pour faire de l'opposition, mais par principe. Ce n'est pas que je croie que ce gouvernement n'utilisera pas bien du patronage que lui donnerait ce bill; mais la question est: Y a-t-il assez de juges ou non? S'il n'y en a pas assez, nommez en d'autres permanents, ne les faites pas temporaires et dépendants de l'exécutif. Mais il y a assez de juges. C'est le système qui est défectueux. C'est l'organisation des termes qui est défectueuse. Il y a cinq juges résidents à Québec; 2 ou 3 au plus sont employés durant les termes.

Si le gouvernement était venu dans cette chambre avec un rapport d'enquête ou une proposition pour instituer une enquête, je ne m'y serais pas opposé, pourvu qu'il n'eût pas été question de juges suppléants ou assistants. Car si, comme il est arrivé depuis un certain temps, il manque des juges dix ou douze fois dans l'année, il faudrait nommer autant de juges suppléants; ce à quoi je ne pourrais consentir.

Je regrette que l'honorable membre pour Bellechasse ne soit pas présent; j'aurais eu à répondre en quelques mots à ses allusions à mon égard. Néanmoins, je dois dire que je ne reconnais pas à l'honorable membre le droit de venir me dicter ici ou ailleurs le plus ou moins de confiance que je dois avoir dans le gouvernement; je suis seul juge en cette matière.¹⁵¹

MR. MERRITT said that the present Judge of St. Francis had fulfilled the duties of Superior Court Judge, Circuit Court Judge, and Chairman of the Court of Quarter Sessions for some years. He had now been for a long time sick, and several Courts had failed to be holden in consequence of the impossibility of obtaining a Judge. The Court at Shipton, which was about to be holden was now uncertain, on account of the chance of no Judge being sent there. Under these circumstances some thing ought to be done. The Judge could not, as it was said was done in Upper Canada, appoint a gentleman from the bar interested in the causes. Nor was it enough that a Judge should be appointed to come from Quebec just to hold a Court and return, for the duties of a Judge out of Court were just as important and often more so than those performed in Court. He had under these circumstances called the attention of the ministry to the situation of the district of St. Francis early in the session, and thanking the Attorney General, he should now know if he did not succeed that it was not from want of good will on the part of that gentleman.¹⁵²

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And the Question being put on the Amendment:--It passed in the Negative.

Then the main Question being put; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Brown, Burnham, Chapais, Solicitor General Chauveau, Crawford, Attorney General Drummond, Dumoulin, Fortier, Fournier, Gouin, Hincks, Laurin, LeBlanc, Lemieux, Lyon, Malloch, Marchildon, McDougall, Mongenais, Morin, Poulin, Attorney General Richards, Ridout, Sanborn, Shaw, Sicotte, Smith of DURHAM, Stevenson, Taché, Terrill, Turcotte, White, Wright of East Riding of YORK, Wright of West Riding of YORK, and Young.--(35.)

NAYS.

Messieurs LaTerrière, Mackenzie, Robinson, Seymour, Stuart, and Tessier.--(6.)
So it was resolved in the Affirmative.

The Bill was accordingly read a second time; and ordered to be read the third time To-morrow.

Ordered, That the remaining Orders of the day be postponed until To-morrow.

Then, on motion of the Honorable Mr. Attorney General Drummond, seconded by the Honorable Mr. Hincks,

The House adjourned.¹⁵³

FOOTNOTES: 21 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in partially identical accounts: MORNING CHRONICLE, 22 September 1852, PILOT, 24 September 1852, MONTREAL GAZETTE, 24 September 1852, HAMILTON SPECTATOR DAILY, 28 September 1852, BRITISH COLONIST, 28 September 1852, and LA MINERVE, 25 September 1852. The debate was also reported by: EXAMINER, 29 September 1852; and GLOBE, 2 October 1852. The following papers noted the debate in identical accounts: PILOT, 22 September 1852, MONTREAL GAZETTE, 22 September 1852, HAMILTON SPECTATOR DAILY, 22 September 1852, GLOBE, 23 September 1852, HAMILTON SPECTATOR WEEKLY, 23 September 1852, BATHURST COURIER, 24 September 1852, BRITISH COLONIST, 24 September 1852, and OTTAWA CITIZEN, 25 September 1852; GLOBE, 23 September 1852 (in a separate account), PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852 (in a separate account), and HAMILTON SPECTATOR WEEKLY, 30 September 1852.
2. GLOBE, 2 October 1852.
3. MORNING CHRONICLE, 22 September 1852.
4. GLOBE, 2 October 1852.
5. MORNING CHRONICLE, 22 September 1852.
6. GLOBE, 2 October 1852.
7. MORNING CHRONICLE, 22 September 1852.
8. GLOBE, 2 October 1852.
9. MORNING CHRONICLE, 22 September 1852.
10. GLOBE, 2 October 1852.
11. MORNING CHRONICLE, 22 September 1852.
12. GLOBE, 2 October 1852.
13. MORNING CHRONICLE, 22 September 1852.
14. LA MINERVE, 25 September 1852.
15. GLOBE, 2 October 1852.
16. MORNING CHRONICLE, 22 September 1852.
17. IBID.
18. IBID.
19. GLOBE, 2 October 1852.
20. MORNING CHRONICLE, 22 September 1852.
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31. GLOBE, 2 October 1852.
32. MORNING CHRONICLE, 22 September 1852.
33. GLOBE, 2 October 1852.
34. MORNING CHRONICLE, 22 September 1852.
35. GLOBE, 2 October 1852.
36. MORNING CHRONICLE, 22 September 1852.
37. GLOBE, 2 October 1852.
38. MORNING CHRONICLE, 22 September 1852.
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40. MORNING CHRONICLE, 22 September 1852.

41. GLOBE, 2 October 1852.
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43. GLOBE, 2 October 1852.
44. IBID.
45. MORNING CHRONICLE, 22 September 1852.
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64. GLOBE, 2 October 1852.
65. IBID.
66. MORNING CHRONICLE, 22 September 1852.
67. GLOBE, 2 October 1852.
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91. GLOBE, 2 October 1852.
92. MORNING CHRONICLE, 22 September 1852.
93. GLOBE, 2 October 1852.
94. IBID.
95. IBID.

96. MORNING CHRONICLE, 22 September 1852.
97. GLOBE, 2 October 1852.
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100. MORNING CHRONICLE, 22 September 1852.
101. GLOBE, 2 October 1852.
102. MORNING CHRONICLE, 22 September 1852.
103. GLOBE, 2 October 1852.
104. MORNING CHRONICLE, 22 September 1852.
105. IBID.
106. IBID.
107. The following papers reported the debate on this matter in identical accounts: GLOBE, 23 September 1852, PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852; MORNING CHRONICLE, 22 September 1852, PILOT, 24 September 1852, MONTREAL GAZETTE, 24 September 1852, LA MINERVE, 25 September 1852, and HAMILTON SPECTATOR DAILY, 28 September 1852.
108. MORNING CHRONICLE, 22 September 1852.
109. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The debate was also reported by GLOBE, 2 October 1852. The following papers noted the debate in identical accounts: GLOBE, 23 September 1852, PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The debate was also noted by EXAMINER, 29 September 1852.
110. MORNING CHRONICLE, 23 September 1852.
111. GLOBE, 2 October 1852.
112. IBID.
113. IBID.
114. IBID.
115. IBID.
116. IBID.
117. IBID.
118. IBID.
119. IBID.
120. IBID.
121. The debate on this matter was reported by GLOBE, 2 October 1852. The following papers noted the debate in identical accounts: GLOBE, 23 September 1852, PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852; MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, BRITISH COLONIST, 1 October 1852, and LA MINERVE, 25 September 1852. The debate was also noted by EXAMINER, 29 September 1852, which claimed that the bill for extending the franchise was "the most important measure of the session."
122. GLOBE, 2 October 1852.
123. IBID.

124. The following papers reported the debate on this matter in identical accounts: GLOBE, 23 September 1852, PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852; MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The debate was also reported by JOURNAL DE QUEBEC, 23 September 1852.
125. JOURNAL DE QUEBEC, 23 September 1852.
126. IBID.
127. IBID.
128. IBID.
129. IBID.
130. The following papers reported the debate on this matter in identical accounts: GLOBE, 23 September 1852, PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852; MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and BRITISH COLONIST, 1 October 1852. The debate was also reported by GLOBE, 2 October 1852.
131. MORNING CHRONICLE, 23 September 1852.
132. IBID.
133. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and BRITISH COLONIST, 1 October 1852. BRITISH COLONIST, 28 September 1852, commented that: "There was a somewhat amusing scene in Committee of the whole of the House of Assembly, last night, on the bringing up of the report of the Committee on Rules. The Committee recommended a change of the role of the House, referring to the presentation of petitions, in such a manner that it should be sufficient for a member to lay the petition on the table at any time before five o'clock, instead of rising in his place and presenting it, as he is obliged to do at present. The reason given for the proposed change, was that it would save time. It could not however, save much of this, as at most the presentation of petitions only takes about a quarter of an hour. And it was well contended that there was no use in changing the old decent mode of presenting petitions, which has prevailed in the British Parliament for ages, for the purpose of saving a few minutes; also, that the least respect that should be shewn to the petitioners, would be to read the prayer of their petition when it was presented. A long and desultory discussion arose upon the report of the Committee of Rules, which I may say was brought up by Mr. Chabot. He contended very hard for the adoption of the change, and he was assisted by Messrs. Hincks and Richards. But it was of no use; the committee of the whole determined to adhere to the old forms, and for this time the influence of the Government went for nothing, and Mr. Chabot looked properly annoyed as well as Mr. Hincks."
134. MORNING CHRONICLE, 23 September 1852.
135. The following papers reported the debate on this matter in identical accounts: GLOBE, 23 September 1852, PILOT, 23 September 1852, MONTREAL GAZETTE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The following papers reported the debate in partially identical accounts:

MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, BRITISH COLONIST, 1 October 1852, and LA MINERVE, 25 September 1852. The debate was also reported by JOURNAL DE QUEBEC, 23 September 1852.

136. JOURNAL DE QUEBEC, 23 September 1852.

137. IBID.

138. IBID.

139. IBID.

140. IBID.

141. IBID.

142. IBID.

143. IBID.

144. MORNING CHRONICLE, 23 September 1852.

145. JOURNAL DE QUEBEC, 23 September 1852.

146. MORNING CHRONICLE, 23 September 1852.

147. IBID.

148. JOURNAL DE QUEBEC, 23 September 1852.

149. IBID.

150. IBID.

151. IBID.

152. MORNING CHRONICLE, 23 September 1852.

153. JOURNAL DE QUEBEC, 23 September 1852, noted that when the House adjourned "il était 11½ heures."

WEDNESDAY, 22 SEPTEMBER 1852.

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THE following Petitions were severally brought up and laid on the table:--

By Mr. Jobin,--The Petition of Edouard Jetté and others, of the Parish of St. Paul, County of Berthier.

By the Honorable Mr. Merritt,--The Petition of James Emmett and others, of the Township of Grantham, County of Lincoln.

By the Honorable Mr. Young,--The Petition of Charles Wilson, Esquire, Mayor, and other Citizens, of Montreal.

By Mr. Cauchon,--The Petition of the Reverend F. Bonin, of Ste. Scholastique, County of Two Mountains.

By Mr. Lyon,--The Petition of Robert L. Macdonell, M.D., and A. H. David, M.D., Esquires, Proprietors and Editors of "The Canada Medical Journal."

By Mr. Shaw,--The Petition of the Municipal Council of the Town of Perth.

Pursuant to the Order of the day, the following Petitions were read:--

Of C. Yale and others, of the County of Lincoln; of Joseph Dobbin and others, of the County of Welland; of Mrs. A. Simmerman and other ladies of Beamsville and its vicinity; of Kezia Kilborn and other ladies of Beamsville and its vicinity; of J. B. Osborne, Esquire, and others, of Beamsville and its vicinity; of Aaron Beam and others, of the Township of Bertie; of Daniel Kribs and others, of the Village of Elora and vicinity; of Samuel B. Markle and others, of the Township of Beverley; of Robert Whale and others, of the Township of Burford; of Aaron R. Shauffee and others, of Blenheim and its vicinity; of Charles Kitchen and others, of the Township of Dumfries; of Robert Spence, Esquire, Chairman, and H. R. O'Reilly, Secretary, on behalf of a Public Meeting of the Inhabitants of the United Counties of Wentworth and Halton; of David Coleman and others, of the Township of Haldimand; of H. E. McDonald and others, of the Township of Elizabethtown; and of Catherine Leys and others, of the Township of Pickering; praying for the passing of an Act to

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prohibit the manufacture of intoxicating liquors, except for medicinal and mechanical purposes.

Of Neil Cameron McIntyre, of the City of Toronto; praying for the passing of an Act to authorize the Court of Chancery and the Courts of Queen's Bench and Common Pleas for Upper Canada, at their discretion, to admit him to practice as Solicitor and Attorney at Law therein respectively.

Of the Town Council of the Town of Peterborough; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the public service.

Of G. Benjamin, Esquire, and others, of Belleville, in the County of Hastings, and of Peterborough; praying for the passing of an Act to incorporate certain persons under the name of the Grand Trunk Railway Company of Canada.

Of John Smith and others, of the Village of Paris; praying for the passing of an Act to incorporate the Brantford and Buffalo Railroad Company, and to enable the said Company to extend the said Railroad from the said Village to the Town of Goderich.

Of the President and Members of the Royal Institution for the advancement of Learning, Governors of McGill College; praying for a grant of money in Trust on behalf of the said College.

Of E. McLennan and others, the Board of Directors of the Montreal Mercantile Library Association; praying aid in behalf thereof.

Of Peter Fisher and others, the Board of Directors of the Nelson and Nassagaweya Road Company; praying for the passing of an Act to legalize the said Company and the proceedings thereof.

Of Alexander Kilborn and others, Stockholders in the St. Lawrence and Atlantic Railroad Company; praying that the Bill to amend the Act to incorporate the said Company, and to extend the powers of the said Company, may not pass into Law.

Of Peter Friel, Esquire, Chairman, on behalf of the Magistrates of the United Counties of Prescott and Russell, in General Quarter Sessions of the Peace assembled; praying for the passing of an Act to dispense with the publication, in local Newspapers, of summary convictions by Magistrates, and of Licenses issued for Taverns in Counties in Upper Canada.

Of Arza Parish and others, of Canada West; praying that the Laws relating to the study and practice of Medicine may be repealed, or so modified as to remove existing restrictions therein, leaving all parties answerable only for malpractice.

Of Benjamin Lebourveau and others, of the County of Sherbrooke; praying for the passing of an Act to define the rights to compensation of parties who settled upon and improved Lands in the Eastern Townships, which Lands were afterwards granted to other parties.

Of the Reverend J. E. Cecil and others, of the Parish of Cap St. Ignace, County of L'Islet; praying aid to open a Road leading in a direct line from the said Parish to the Crown Lands.

Of Olivier Fiset, President, and others, Officers, on behalf of the Quebec Benevolent Society; praying for the passing of an Act to amend the Act incorporating the said Society.

Of Grégoire Darveau, President, and others, Officers of the Quebec Friendly Society; praying for certain amendments to the Act incorporating the said Society.

Of James Motz, Esquire, of the City of Quebec; praying for the passing of an Act to explain and modify the Act 58 Geo. 3, cap. 25, so as to secure him the enjoyment of his Bridge over the River Etchemin, and to indemnify him for losses sustained through the misconstruction of the said Act.

Of the Mayor and Councillors of the City of Quebec; praying for certain amendments to the Act and Ordinance incorporating the said City.

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Of the Mayor and Councillors of the City of Quebec; praying for the repeal of the Act to prohibit Hawking or Peddling within the limits of the said City.

Of J. Douglas, Esquire, and others, of the City of Quebec; praying the adoption of measures to prevent the burial of the dead within the limits of Cities and large Towns in this Province, or otherwise within the said City.

Of the Municipal Council of the County of Beauharnois; praying that the Circuit of Beauharnois may be divided, and a Circuit Court established at the Village of Huntingdon.

Of J. Keith and others, of the County of Beauharnois; praying that the sittings of the Circuit Court of the said County may be transferred to the Parish of St. Clément.

Of the Reverend J. Poirier and others, of the Parish of St. Anicet, County of Beauharnois; praying for an inquiry into the damages done to their property by the construction of a Dam at the head of the Beauharnois Canal, by the Commissioners of Public Works, and that they may be indemnified for their losses thereby.

Of Ignace Plamondon and others settled along the front of Hungry Bay, in the Townships of Godmanchester and Dundee; complaining of the damage done to their Lands through the construction, by the Commissioners of Public Works, of the Dam at the head of the Beauharnois Canal.

Of the Municipality Number two of the County of Beauharnois; representing that portions of the public Road on the shore of Lake St. Francis, in the said Municipality, has become impassable for carriages, being overflowed by reason of the construction of the Dam at the head of the Beauharnois Canal, and praying relief in the premises.

Of the Reverend D. Charland and others, School Commissioners of the Municipality of St. Clément, County of Beauharnois; praying for aid in behalf of the Beauharnois Academy.

Of R. B. Somerville, Esquire, and others, of the County of Beauharnois; praying for aid in behalf of the Huntingdon Academy.

Of Joseph Robitaille, of the Parish of St. Paschal de Kamouraska, Esquire; representing that for twenty-two years he served in Parliament as Member representing the County of Cornwallis, now the Counties of Kamouraska and Rimouski, for which he received no compensation,—and that now in his old age he is left unprovided for,—and praying indemnity in consideration of the premises.

Ordered, That Mr. Ridout have leave to bring in a Bill to amend the Act incorporating the Provincial Mutual and General Insurance Company of the City of Toronto.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

Ordered, That Mr. Ridout have leave to bring in a Bill to amend the Act incorporating the Toronto and Guelph Railway Company, so as to allow of an extension of the said Road.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Wednesday next.

The Honorable Mr. Merritt, from the Select Committee to which were referred certain proposed Resolutions upon which to found an Address to Her Majesty, praying that She will be pleased to sanction the introduction into the Imperial Parliament of an amendment to the Act of 1846, by introducing the same principle of Reciprocity retained in the Act of 1849, presented to the House the Report of the said Committee; which was read, as followeth:--

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Your Committee proceeded to the consideration of the subject matter referred to them; and, after deliberation, have adopted the following Resolutions, which they beg leave to Report:--

1. Resolved, That the Imperial Act 9 & 10 Vic. cap. 22, for the repeal of the Corn Laws, deprived the British North American Provinces of the preference previously given to their Agricultural products in the Home Market; and, while it placed Foreign Nations on a par with the Colonies in the Corn Trade, it contained no provisions enabling Her Majesty, in Her discretion, to insist on the principle of Reciprocity being carried out by such Foreign Nations, whereby this country would be placed on an equality with the United States.

2. Resolved, That by the Imperial Navigation Act 12 & 13 Vic. cap. 29, authority is given Her Majesty to protect British Shipping by imposing the same duties on the vessels and cargoes of any Foreign Nation which are exacted from British Vessels by such Foreign power.

3. Resolved, That in the opinion of this House, the principle of Reciprocity adopted by the Navigation Act, ought to be extended to the Agricultural products

of Great Britain and her Colonies, and that the correctness of this opinion was admitted by the Imperial Government when they instructed Mr. Packenham, their Minister at Washington, immediately after the passing of the Act, to negotiate with the American Government for an equality in Trade, and thus supply the omission in the Statute 9 & 10 Vic. cap. 22.

4. Resolved, That the Canadian Legislature endeavored to aid Mr. Packenham in his negotiations, by passing a Reciprocity Bill, but that all his exertions have proved unsuccessful; and this House is apprehensive that, unless Her Majesty is enabled to act authoritatively in the matter, Reciprocity will never be granted by the United States, and Canada will continue to suffer by the depreciation of the value of her products as heretofore.

5. Resolved, That the prediction contained in the Address of this House to Her Majesty in 1846, that this change in the commercial policy of the Empire would lead to the reduction of prices on Canada products below those of the United States, has been fully realized. Whenever markets are higher in America than in England, the price of the productions of Canada are lower than in the United States; and when markets are higher in England, the prices of Canadian produce still range as much lower as the charges imposed by the bonding system in passing through the United States; and so long as the present laws are in force, under no circumstances can prices be higher.

6. Resolved, That the Legislative Assembly of this Province have on no occasion, since the Imperial Act of 1846, addressed the Home Government for a return to protection, or for any exclusive favor in the Markets of Britain, neither do they now ask for any such advantage, or for any measure which will increase the price of bread to the British consumer for the benefit of the Canadian producer. Under the principle of Reciprocity, no duties will be imposed on the importation of breadstuffs of Great Britain or Canada into any other corn-growing country, consequently the productions of all Foreign Nations coming into England duty free, prices cannot be increased; and in order to remove all apprehension from the minds of the consumer on this subject, it is only necessary to state, that the breadstuffs from the Western States can be admitted through Canada into England, duty free, in the same manner as before the repeal of the Corn Laws.

7. Resolved, That it is accordingly desirable that an humble Address be presented to Her Majesty, most respectfully praying that She will be pleased to recommend to the Imperial Parliament to enact that Her Majesty may (if She thinks fit) by Order in Council, impose the like duties on the production of those Foreign Nations who impose duties on the natural productions of Great Britain or Canada, when imported direct from any sea-ports within those Countries, and to repeal so much of the first clause of the 12 & 13 Vic. as revives the fifth

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clause of 8 & 9 Vic. conferring advantages on vessels of the United States which they withhold from those of Canada; the said duties and restrictions to continue so long and no longer than similar restrictions are continued by other Nations.

Ordered, That the said Report be committed to a Committee of the whole House, for Monday next.

Ordered, That the said Report be printed for the use of the Members of this House.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Tenth Report of the said Committee; which was read, as followeth:

Your Committee, in obedience to the instruction of Your Honorable House, have proceeded to an examination of all the Petitions for Private or Local Bills now

before the House, and find the requisite Notices have been given on the Petitions of Thomas Fergusson and others, relative to the Survey of the 8th Concession of Edwardsburgh,--of Thomas Richard and others, for a Survey of the 6th and 7th Concessions of the Township of Hamilton,--of John K. Roche, for power to recover an amount due him for making a Survey of the Township of Hamilton,--of the Carouge Pier and Wharf Company, for an Act of Incorporation,--of E. Cumberland and others, for incorporation of a Company to construct a Railroad from Toronto to Peterborough,--of John B. Askin, for an Act to confirm the title of the Agricultural Society of Middlesex and Elgin to a certain piece of land in London,--and of the Hamilton Gas Light Company, for amendments to their Act of Incorporation.

With respect to the Petition of the Toronto, Simcoe and Huron Railroad Union Company, for amendments to their Act of incorporation, it appears that Notices have been published in the Toronto Patriot and in the Canada Gazette, but not in any newspaper within the County of Simcoe, but inasmuch as it has been represented to Your Committee, that the Toronto papers circulate very freely in that County, and also, as the Company is already in existence, and the extension to them of the additional powers cannot greatly affect the interests of other parties, Your Committee would beg leave to recommend that the Notice be considered sufficient.

With respect to the Petition of J. G. Bowes and others, for the passing of an Act to incorporate a Company to construct a Railway from Toronto to Kingston, and thence to Montreal, Your Committee find that no Notices have been published; it appears however, that last Session, charters were granted to two Companies for the construction of Railways from Toronto to Kingston, and from Kingston to Montreal, respectively; the former of whom have agreed to surrender their charter during the present Session, with a view to obtaining the charter now prayed for, and as the matter is one of great public importance and which is fully before the public, Your Committee would submit, for the consideration of Your Honorable House, the expediency of dispensing, in this case, with the usual Notice.

The Petition of W. S. Childs and others, for incorporation of a Company for the construction of articles of India Rubber, comes within the provisions of the 64th Rule, but as there are no manufacturers of articles of that nature within the Province at present, with whom the proposed Company could interfere, and as they seek only for the ordinary corporate powers, Your Committee beg leave to recommend a suspension of the Rule in their favor.

The Petitions of the Orphan's Home and Female Aid Society of Toronto, for amendments to their Act of Incorporation,--of Benjamin Quimet and others, for annexation of Acton and Upton to St. Hyacinthe for Judicial purposes,--of Sir Allan N. MacNab and others, for incorporation of an Association to provide for the destitute orphans of Hamilton,--of the Roman Catholic Bishop of Montreal and others, for incorporation of St. Mary's College,--of the Corporation of the College of L'Assomption, for an amendment to their Act of incorporation,--and of Joseph Hamel and others, for incorporation of the "Chambre de Lecture de St. Roch,"

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are none of them of such a nature as to require the publication of Notice; and the same may be said with regard to the Petitions of the Corporation of the Pilots for the Harbour of Quebec, for amendments to their Act of incorporation,--the Bytown and Prescott Railway Company, for the same,--of the Mayor, Aldermen, and Commonalty of the City of Toronto, for authority to raise a Loan to consolidate their debt,--and of the Mayor, Aldermen, and Citizens of Montreal, for the like, as neither of them pray for such additional powers as would bring them within the operation of the 64th Rule.

With regard to the Petitions of the Municipal Council of Middlesex and Elgin, for authority to dispose of certain lots of land in London,--of the Honorable

C. Widmer and others, for incorporation of the Medical Profession in Upper Canada,-- of John Little and others, for the settlement of certain boundary lines in Mulmur, Mono, &c.,--of the Municipality of Mono, praying that the said Township may be attached to the County of York,--of C. C. Small, Esquire, relative to a certain road allowance,--of Amable Dion and others, for erection of Acton and other Townships into a separate Municipality--and of the Municipal Council of Rimouski Number one, for a division of that County, Your Committee find that in none of these cases has the requisite Notice been given.

Ordered, That the Honorable Mr. Young have leave to bring in a Bill to incorporate the St. Mary's College of Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Boulton have leave to bring in a Bill to authorize the City of Toronto to negotiate a Loan of One hundred thousand pounds to consolidate a part of the City Debt.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Boulton have leave to bring in a Bill to amend the Act incorporating the Toronto, Simcoe, and Huron Union Railroad Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

On motion of Mr. Langton, seconded by Mr. Hartman,

Ordered, That the 64th and 66th Rules of this House be suspended in so far as relates to the Petition of G. Benjamin, Esquire, and others, of Belleville, in the County of Hastings, and of Peterborough.

Ordered, That Mr. Mongenais have leave to bring in a Bill to repeal so much of the Act providing for the optional commutation of the Tenure of Lands in the Fiefs and Seigniories of Lower Canada, as allows the commutation of the right of lods et ventes without the commutation of the other Seigniorial rights on the same lands.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the Honorable Mr. Badgley have leave to bring in a Bill to authorize the City of Montreal to raise a Loan to consolidate their debt.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Boulton have leave to bring in a Bill to authorize the Court of Chancery and the Courts of Queen's Bench and Common Pleas in Upper Canada,

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in their discretion, to admit Neil Cameron McIntyre to practice as a Solicitor and Attorney therein.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Friday next.

On motion of the Honorable Mr. Badgley, seconded by Mr. Dixon,

Ordered, That the 64th Rule of this House be suspended in so far as it relates to the Petition of William S. Childs and others, of the City of Montreal.

Ordered, That the Honorable Mr. Badgley have leave to bring in a Bill to incorporate the Montreal Manufacturing Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the Honorable Mr. Badgley and Mr. Polette be added to the Select Committee appointed to revise the Rules of this House, in the room of the Honorable Mr. Macdonald and Mr. Prince, absent.

Ordered, That Mr. Sicotte have leave to bring in a Bill to separate the Townships of Upton and Acton from the County of Drummond, and to annex the said Townships to the County of St. Hyacinthe, in the District of Montreal, for Judicial and Municipal purposes.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday the eighteenth of October next.

Ordered, That Mr. Sicotte have leave to bring in a Bill to increase the Terms of the Circuit Court in the Circuit of St. Hyacinthe, in the District of Montreal.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday the eighteenth of October next.

Ordered, That Mr. Sicotte have leave to bring in a Bill to empower François Daigle and Alexis Dufresne to demand Tolls on the Bridge erected by them over the north branch of the River Yamaska.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday the eighteenth of October next.

Au moment où la chambre allait commencer les ordres du jour¹, MR. INSP. GEN. HINCKS s'est levé² and moved the postponement of the orders of the day, in consequence of the necessity of new ministerial arrangements.³ Depuis l'acceptation de la résignation de l'honorable M. Young comme commissaire en chef des travaux publics, le gouvernement avait dû chercher un remplaçant à ce monsieur⁴. Every member must be aware of the importance of completing the cabinet without loss of time. The government, therefore, had sought the assistance of⁵ M. Cartier⁶, the hon. member for Verchères. That hon. member was satisfied with the general policy of the government, and had no objection to it on the grounds which had led to the resignation of the hon. member for Montreal; but at first, considerations of a private nature rendered him unable until that day to come to any decision. That day, however, he had ascertained that he could accept office; but unfortunately a public question had supervened, which the hon. member thought of sufficient importance to prevent him from doing so. On the proposed change in the Legislative Council, he did not object to the elective principle; but required that the Government should make up its mind that there should be a large property qualification. The members of the Government are not prepared to come to such a conclusion; and indeed they thought that some other qualification would be a better one. They were not prepared even to say that they would press forward hastily the resolutions they had proposed. His hon. friend however had so strong an opinion on the subject that he felt he could not accept without [determining that the] Government were pledged to a large property qualification.⁷ [Puisque] le gouvernement désirant être au complet et délibérer en conséquence sur les mesures à suivre pour cet objet, lui (M. Hincks) proposait secondé par l'honorable M. Morin, que la chambre s'ajournât à demain.⁸

MR. CARTIER.--Avant que la motion soit mise aux voix, je désire, M. l'orateur, faire quelques remarques sur le même sujet que l'honorable inspecteur-général.

Comme l'a dit l'honorable membre, la place de commissaire en chef des travaux publics, vacante par la résignation de l'honorable membre pour Montréal, m'a été offerte.⁹ He had hesitated to accept it on account of private interest, and in order that there might be no mistake upon the public mind ... [he] would mention that the difficulty with him arose from the small amount of salary attached to the office; and here he would mention his opinion that low salaries would necessarily be conducive to ... [handing] the public offices over to extremely healthy men, or else to men who possessed no stake in the country. He had the bad or good fortune to be neither very rich; nor yet possessed of nothing, and the acceptance of this office would have been a personal sacrifice which must have fallen, not only on himself, but also on third parties--those with whose legal business he was charged. But notwithstanding the small amount of the salary, having--though perhaps he should not mention it in his own praise--made many pecuniary sacrifices in pursuing the policy he thought best for the country, he was ready to undergo this also. He must say, though to some extent pledged to free trade, that he was not ready to advocate it to the length of reducing the inhabitants of the country to a condition of imbecility, and this he thought would be done if we pulled down all our own barriers, giving our Province as a field for the commerce of our neighbours [sic] while they raised many barriers against us.¹⁰ Je ne le suis pas au point de réduire notre tarif d'une manière injurieuse à nos intérêts, et, si l'on me permet le mot, follement au profit des Etats-Unis.

J'approuve donc la politique commerciale du gouvernement, telle qu'annoncée l'autre jour par l'honorable inspecteur-général¹¹, and hear with regret of the resignation of the honorable member for Montreal, for he was thoroughly convinced, in spite of newspaper reports, of that gentleman's integrity. He thought too that though that gentleman was a free trader, and no doubt resigned in deference to its principles, yet that he carried those principles too far when he allowed them to damage his country.¹²

Je pouvais donc accepter sous ce point de vue; et ayant vaincu mes répugnances et objections personnelles, comme je n'avais pas eu l'avantage de discuter dans le cabinet les mesures que le gouvernement doit soumettre à cette chambre, j'ai dû aborder la question du conseil législatif électif, et savoir l'opinion du gouvernement sur ce sujet.

Je dois avouer, comme je l'ai déjà dit, que je ne suis pas fort en faveur d'une [sic] conseil législatif électif, mais je n'y suis pas non plus beaucoup opposé.¹³ The country had struggled to obtain it, when the Legislative Council was not submitted at all to public opinion; but this state of things had changed, and the reason for an Elective Council had changed with it. But he could not shut his eyes to the fact that it was difficult to work the constitution of the country at present¹⁴, car peu d'honorables membres de ce corps, et je le dis sans leur en faire reproche, assistent à ses séances.

Je n'avais donc pas grande objection à soumettre le conseil législatif à l'élection. Mais se présentait de suite la question de la constitution de ce corps. Je demandai donc au gouvernement si son intention était de mettre dans sa mesure sur ce sujet la qualification de propriété pour les membres du conseil électif. Le gouvernement me répondit qu'il ne pouvait pas en ce moment s'engager jusque là.

Or, je regarde l'introduction du principe électif dans le conseil législatif comme une espèce de reconstitution de la société, je veux donc ne pas alarmer la société, je veux qu'elle ait des garanties¹⁵, and he desired that the change

should be made in such a way that no man need be afraid of it.¹⁶

Eh! bien, je crois (et je l'ai déjà dit) que la propriété est partout l'élément, la base de notre état social.¹⁷ Property was the governing element of the world, and ... property should be ruled by property.¹⁸ N'est-il pas vrai que l'homme qui, par son travail, s'est acquis du bien, doit être capable, honnête, économe? Il inspire plus de confiance que celui qui n'a rien.¹⁹ He did not regard the property alone; but the proof afforded by the property that its owner possessed economy, industry, and morality.²⁰ La propriété doit donc être la base de la société, et c'est ce principe que je voulais respecter dans la constitution du conseil législatif électif.²¹ He insisted on a property qualification—the Inspector General had said a large one; but what he had mentioned was £2000 of real estate; but he might perhaps have been contented with less. He wanted, however, a respectable property qualification.²²

Quelques honorables membres pourront peut-être croire que c'était là une matière de détails plutôt que de principes. Je ne suis pas de cette opinion. La propriété est là comme élément, comme base; elle est là comme principe.²³ It was ... the basis of the whole, upon which the administration ought to be decided. He understood that it was intended only to lay a set of resolutions on the tables, and take the opinion of members of the House, and, probably of the country upon them. No doubt that course was determined upon with the best intention, and for the good of the country; but as it did not come up to his ideas as to what should be done²⁴, je voulais que le gouvernement, dans la mesure qu'il soumettra, recommandât du moins l'adoption de ce principe, sauf à fixer plus tard le montant de la qualification.

Le cabinet a cru qu'il ne pouvait ou ne devait pas le faire, et a refusé ma proposition. Il ne pouvait plus être question de mon acceptation, et j'ai dû donner une réponse négative. Je crois néanmoins que le gouvernement aurait dû être prêt à venir devant cette chambre, durant cette session, avec une mesure arrêtée, sur laquelle on aurait pu baser une adresse à la Reine.²⁵

MR. CAUCHON.--Comme j'étais absent au commencement de ces explication[s], j'aimerais à savoir quel est le but de la motion que l'on vient de faire.²⁶

MR. PROV. SEC. MORIN.--La raison de cette motion, c'est que vû le refus de l'honorable membre pour Verchères, le gouvernement désire délibérer au sujet d'un remplaçant à l'honorable ex-commissaire des travaux publics.²⁷

MR. CAUCHON dit qu'il ne s'opposera pas à la motion, et il ajoute que, d'après des explications précédentes de la part du ministère, il avait compris que la question d'un conseil législatif électif ne devait pas être une question de cabinet, et cela parce que les ministres ne semblaient pas de même opinion sur cette mesure. Pour lui (M. Cauchon), il est d'avis que, si un changement est nécessaire, il faut abolir le conseil législatif, et mettre un autre rouage dans notre forme de gouvernement.²⁸

MR. BADGLEY dit quelques mots qu'on n'entend pas à l'autre extrémité de la chambre.²⁹

MR. PROV. SEC. MORIN mentionne que, quant au conseil législatif électif, il (M. Morin) avait déclaré dès le commencement qu'il ne savait pas si le pays était prêt à sanctionner cette mesure. Le gouvernement n'est pas prêt à s'engager pour la question de la qualification de propriété des membres d'un conseil électif, parce qu'il ne connaît pas sur ce point l'opinion de la chambre et du pays. Le gouvernement veut s'assurer de cette opinion auparavant. Du reste, l'administration n'a pas l'intention de trancher cette question dans la présente

session. Pour lui (M. Morin), il respecte les opinions et les vues de l'honorable membre pour Verchères, mais le gouvernement ne peut pas aller aussi loin pour le moment.³⁰

MR. BOULTON dit aussi quelques mots³¹.

The motion was [then] carried and the House was adjourned.³²

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Ordered, That the Orders of the day be postponed until To-morrow.

Then, on motion of the Honorable Mr. Hincks, seconded by Mr. Smith of Frontenac,

The House adjourned.

APPENDIX: 22 SEPTEMBER 1852

[QUESTION AND ANSWER RE: AMENDMENTS TO LOWER CANADA SCHOOL LAW.]³³

MR. TURCOTTE [asked a question]³⁴.

In answer ... MR. SOL. GEN. CHAUVEAU said it was not the intention of government to introduce any bill to amend the School laws [of] C.E. during the present session.³⁵

FOOTNOTES: 22 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: MONTREAL GAZETTE, 23 September 1852, PILOT, 23 September 1852, GLOBE, 23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH WHIG, 24 September 1852, BRITISH COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852; MORNING CHRONICLE, 23 September 1852, MONTREAL GAZETTE, 25 September 1852, PILOT, 25 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, BRITISH COLONIST, 1 October 1852, and LA MINERVE, 25 September 1852. The debate was also reported by: EXAMINER, 29 September 1852; JOURNAL DE QUEBEC, 23 September 1852; and L'AVENIR, 29 September 1852. HAMILTON SPECTATOR DAILY, 24 September 1852, contained the following commentary on this subject: " 'MINISTERIAL ARRANGEMENT.'--The proceedings of the House, as the Telegraph informed us, were terminated somewhat abruptly, on Wednesday night, in order, as Mr. Hincks said, 'to complete Ministerial arrangements.' The filling up of the vacancy created by the resignation of Mr. Young, we should think, could hardly cause much delay, especially when it is considered that the 'great financier' is no expert in the art of transmogrifying his partizans into office holders. The 'ministerial arrangements' spoken of, probably embrace certain other resignations, with which Madame rumor has been making rather free for some time past. It is true, Mr. Hincks stated that Mr. Cartier had refused to accept the vacant office, thus rendering it imperative to look out for some other pliable gentleman; yet that should not have caused a stop to be put to the proceedings of the Legislature.--The most charitable construction we can place upon the 'Ministerial arrangements' expression is, that a split has occurred in the Ministerial wigwam. The late rumors, we are inclined to think are fraught with more than was 'meant to meet the ear.' Then again, there is my Lord Elgin's reported resignation, which sounds well, however it may turn out. Taking all these things together, there is sufficient reason to believe that the Council require time to deliberate and collect their scattered ideas. Verily the 'strong' government are getting into a nice predicament."
2. JOURNAL DE QUEBEC, 23 September 1852.
3. MORNING CHRONICLE, 23 September 1852.
4. JOURNAL DE QUEBEC, 23 September 1852.
5. MORNING CHRONICLE, 23 September 1852.
6. JOURNAL DE QUEBEC, 23 September 1852.
7. MORNING CHRONICLE, 23 September 1852.
8. JOURNAL DE QUEBEC, 23 September 1852.
9. IBID.
10. MORNING CHRONICLE, 23 September 1852.
11. JOURNAL DE QUEBEC, 23 September 1852.
12. MORNING CHRONICLE, 23 September 1852.
13. JOURNAL DE QUEBEC, 23 September 1852.
14. MORNING CHRONICLE, 23 September 1852.
15. JOURNAL DE QUEBEC, 23 September 1852.
16. MORNING CHRONICLE, 23 September 1852.
17. JOURNAL DE QUEBEC, 23 September 1852.
18. MORNING CHRONICLE, 23 September 1852.
19. JOURNAL DE QUEBEC, 23 September 1852.
20. MORNING CHRONICLE, 23 September 1852.
21. JOURNAL DE QUEBEC, 23 September 1852.

22. MORNING CHRONICLE, 23 September 1852.
23. JOURNAL DE QUEBEC, 23 September 1852.
24. MORNING CHRONICLE, 23 September 1852.
25. JOURNAL DE QUEBEC, 23 September 1852.
26. IBID.
27. IBID.
28. IBID.
29. IBID.
30. IBID.
31. IBID.
32. MORNING CHRONICLE, 23 September 1852.
33. The following papers reported this question and answer in identical accounts:
MONTREAL GAZETTE, 23 September 1852, PILOT, 23 September 1852, GLOBE,
23 September 1852, HAMILTON SPECTATOR DAILY, 23 September 1852, BRITISH
COLONIST, 24 September 1852, OTTAWA CITIZEN, 25 September 1852, and HAMILTON
SPECTATOR WEEKLY, 30 September 1852; MORNING CHRONICLE, 23 September 1852,
HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30
September 1852, and BRITISH COLONIST, 1 October 1852.
34. MORNING CHRONICLE, 23 September 1852.
35. IBID.

THURSDAY, 23 SEPTEMBER 1852.

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THE following Petitions were severally brought up, and laid on the table:--

By the Honorable Mr. Badgley,--The Petition of John C. Becket and others, Officers and Members of the Grand Division of the Order of the Sons of Temper-

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ance of Canada East; and the Petition of the Reverend John Bethune, D.D., on behalf of the National School at Montreal.

By Mr. McLachlin,--The Petition of the Right Reverend the Bishop of Bytown and others, the Roman Catholic Corporation of the College of Bytown, and others.

By Mr. Mongenais,--The Petition of the Municipal Council of the Municipality of the County of Vaudreuil; and the Petition of P.F. de LesDerniers and others, of the Parish of Vaudreuil, County Vaudreuil.

By Mr. Brown,--The Petition of G.H. Boulter, Esquire, M.D., and others, of the Village of Roslin and its vicinity; the Petition of the Reverend J.W. Constable and others, of the Parish of LaChute; and the Petition of Andrew Hudson and others, of the Township of Tyendinaga.

By the Honorable Mr. Robinson,--The Petition of the Municipality of the Township of Medonte; the Petition of Mary McCallum and others, of the Township of Oro, County of Simcoe; and the Petition of the Council of the Canadian Institute.

By Mr. Langton,--The Petition of W.S. Conger, President of the Little Lake Cemetery Company; the Petition of the Municipality of the Township of Cavan; the Petition of the Municipality of the Township of South Monaghan; the Petition of the Municipality of the Township of Hope; the Petition of the Peterborough and Port Hope Railway Company; and the Petition of the Municipal Council of the Town of Port Hope.

By Mr. Clapham,--The Petition of John R. Lambly, Chairman, and James Burray, Secretary, on behalf of a Public Meeting of the Freeholders of the County of Megantic.

Pursuant to the Order of the day, the following Petitions were read:--

Of the Reverend William Lohead and others, the Free Presbyterian Congregation of Osgoode, County of Carleton; of the Reverend William Lohead and others, the Free Presbyterian Congregation of Gloucester, County of Carleton; of the Very Reverend Archdeacon Stuart and others, of the City of Kingston; of the Reverend Robert F. Burns and others, on behalf of the Session of Chalmers' Church in connection with the Presbyterian Church of Canada; and of the Reverend John Dempsey and others, of the Village of St. Andrews and its vicinity, County of Two Mountains; praying the adoption of measures for the abolition of all labor on the Lord's Day in the Postal Department of the Public service.

Of John Burkham, Esquire, and others, of the Township of Torbolton, County of Carleton; praying that the said Township may be authorized to continue as an independent Municipality.

Of the Professors of the School of Medicine and Surgery of the City of Montreal; praying that the Act to incorporate the said School of Medicine may be so amended as to confer upon its Students the same privileges as are now enjoyed by Graduates of McGill College.

Of the Reverend Z. Gingras and others, of the Parish of St. Basil, County of Portneuf; praying for the passing of an Act to define the rights of Seigniors, and to remove certain abuses in the Seigniorial Tenure.

Of Farquhar McRea and others, of Glengary; of W.R. Anderson and others, of the Township of Lochiel; of the Reverend Paul Robins and others, of the Township of Darlington, of John Chinie, on behalf of the Congregational Union of Canada

West; of the Reverend Robert F. Burns, Moderator, and John Dickson, Clerk on behalf of the Session of Chalmers' Church, Kingston, in connection with the Presbyterian Church of Canada; of the Reverend Robert Burns, D.D., and others, of the City of Toronto; of Mrs. Elizabeth B. Burns and other Ladies, of the City of Toronto; of Walter Stevenson and others, of the Township of Alnwick; of Reuben Scott and others, of the Township of Cramahé; and of George Freeman,

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President, and others, Members of the British American Temperance League, and others, of the Township of Hamilton, County of Northumberland; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of Joseph Caron and others, School Commissioners of the Parish of Ste. Anne de Lapérade, County of Champlain; praying for aid to enable them to pay for certain School Houses erected in the said Parish.

Of Thomas Solomon and others, of the Township of Alnwick, and of the rear part of the Township of Haldimand, County of Northumberland; praying that the 8th, 9th and 10th half Concessions of Haldimand may be annexed to the said Township of Alnwick.

Of Thomas Cary, of the City of Quebec, Esquire; praying that such measures may be adopted as shall secure to Creditors of the late Municipal Districts in Lower Canada the payments of their just accounts, whereby he and others may receive payment of amounts due them in that behalf.

Of the Mayor and Councillors of the City of Quebec; praying for the passing of an Act to exempt the Corporation of the said City from the payment of Customs Duties on Iron Pipes or other castings imported for the Quebec Water Works, and to refund to them the amount already paid for such Duties.

Of John McDonald and others, Roman Catholic Inhabitants of the Townships of Williamstown and Adelaide, County of Middlesex; praying for the passing of an Act to amend the 19th Section of the Common School Act, and to define the rights and privileges of separate Schools.

Of the Directresses of the Charitable Association of Catholic Ladies of Quebec; praying for aid in behalf thereof.

Of the Municipal Council of the First Division of the County of Saguenay; praying that the said First Division may be subdivided into three separate parts for Municipal purposes.

Ordered, That the Petition of J. Douglas, Esquire, and others, of the City of Quebec, be referred to the Select Committee to which was referred the Petition of M.G. Mountain and others, of the City of Quebec.

Ordered, That the Petition of Farquhar McRea and others, of Glengary, and the Petition of W.R. Anderson and others, of the Township of Lochiel, be referred to the Select Committee to which was referred the Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton, on the subject of Temperance.

Ordered, That the Petition of Joseph Painchaud, Esquire, M.D., and others, of the City of Quebec, be referred to the Select Committee appointed to take into consideration the state of the Law in relation to the authority under which houses or other buildings may be blown up or otherwise destroyed, to stay the progress of Fires.

Mr. Seymour, from the Standing Committee on Contingencies, presented to the House the Second Report of the said Committee; which was read, as followeth:--

Your Committee have carefully examined the Accounts and Vouchers of the Contingent Expenses of Your Honorable House, for the period commencing 27th May,

1851, and ending 26th August, 1852, and beg to report the result of their labours.

A summary Statement of the receipts and disbursements for the period above mentioned will be found in the Account Current of the Clerk of Your Honorable House, and appended to this Report.

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The Accounts appear to be kept with perfect accuracy by Mr. Vaux, the Accountant, and the Vouchers for the payment of the several sums are satisfactory.

Your Committee in the course of their examination observed, in some cases, an absence of sufficient check over work performed, and over the delivery of articles purchased for the use of Your Honorable House--monies having been disbursed without any other Voucher than the receipt for payment. That the work was performed and the articles delivered, the Committee have no doubt; but they respectfully submit that the Accounts presented for payment should be accompanied with a Certificate by some responsible Officer, that the work performed or the articles delivered were so ordered, and were so performed or delivered for the service of Your Honorable House.

The charge for extra-writing performed during last Session, Your Committee find amounted to the sum of £1296 7s. 6d., but the new arrangement of Printing the Bill for third readings instead of engrossing them, will, it is believed, secure a considerable reduction on this item.

In attentively considering the manner in which the expenses of the House might be reduced, Your Committee directed their enquiries to the large outlay for the Sessional Printing, and the printing and binding the Journals of Your Honorable House, and for Stationery, &c. The sum paid for this service for the past year was £18,571 8s. 6d., made up of the following items.--

Printing.....	£11,828	3	4½
Printing Paper.....	3,264	10	1
Folding, Stitching, and Paper Covers.....	1,280	16	11
Binding.....	662	10	0
Lithographing.....	412	0	0
Stationery.....	1,123	8	1½
	£18,571	8	6

Your Committee are of opinion that the Sessional Printing and the Printing of the Journals for the next four Sessions should be now offered to tender with at least three months notice, and that the contract should be open to offers for the whole work, or to separate offers for French and English. They feel confident that a large saving would be thus effected.

The Paper for printing appears to have been furnished at very high rates, and Your Committee are of opinion that this service should be also thrown open to public tender; a practice which it is to be regretted has not been heretofore followed. The tender should be at a rate per lb. of a finish equal to sample.

The charge for folding and stitching the Sessional papers, it will be observed, is very heavy: Your Committee recommend that the Paper for covers be contracted for with the Printing paper, and that the charge for folding and stitching be included in the price paid for Press work.

Your Committee also recommend that the chief items of Stationery be purchased by contract; and that the officer charged with the management of this department should be careful of its expenditure.

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[See following page for A Summary Statement of the Receipts and Disbursements of Contingencies.]

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Ordered, That the said Report be committed to a Committee of the whole House, for Monday next.

Ordered, That the said Report be printed for the use of the Members of this House.

Ordered, That Mr. Ridout have leave to bring in a Bill to amend the Act, intituled, "An Act to incorporate the Orphan's House and Female Aid Society of Toronto."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Ordered, That Mr. Hartman have leave to bring in a Bill to limit and define the responsibilities of Executors, Administrators, Trustees and Guardians in certain cases, and to facilitate the settlement of their accounts with the Estates of deceased persons, and for other purposes therein mentioned.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Thursday next.

Ordered, That Mr. Christie of Wentworth have leave of absence for one week, on urgent business.

On motion of Mr. Stuart, seconded by Mr. Boulton,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency will cause to be laid before this House, all documents and information respecting the management of the affairs of the Seignior of Lauzon since its acquisition by the Province, together with all rules and regulations adopted by the Executive Government, or the Crown Land Department, in relation to such Seignior, and a detailed Statement of the rents and profits of the same, shewing as well the gross annual revenue thereof, as the persons liable to pay the same, and the amount in arrears from each of them; also, a detailed Account of the several sums actually received, and by and from whom, and of the outlay or expense of management for each year during the above period: And that His Excellency will also be pleased to communicate to this House copies of all appointments of Agents and Sub-Agents to collect and receive the rents and profits of the said Seignior, or for any other purpose connected with the management of the affairs of the same, accompanied by the instructions from time to time inscribed for such Agents and Sub-Agents, and a Statement of the allowance, salary, emoluments, or pecuniary profits attached to such appointments, under any and what authority; also, a detailed Account of the sums collected and received by each of the aforesaid Agents and Sub-Agents, the sums expended in management by each, the sums retained in conformity with their instructions as the allowance assigned to each of them, and of the sums actually paid over by each to Her Majesty's Receiver General of this Province; and finally, shewing whether any and what sums remain to be accounted for by any and which of the parties acting under such appointments.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

ACCOUNT CURRENT OF William Burns Lindsay, Esquire, Clerk of the Legislative Assembly, of the Monies received and disbursed by him as Contingencies, from the 27th May, 1851, to 26th August, 1852, inclusive.

Date.	Receipts.	Amount.			Disbursements.	Amount.		
		£	s.	d.		£	s.	d.
May 27, 1851 ..	To Balance in hand	5094	6	5	By paid A. Indemnity to Members, 12 Vic. cap. 33	8595	14	0
June 26, ..	To Amount repaid W.B. Lindsay, out of the Government Grant of £2,000 made the previous Session on account of the Parliamentary Library	481	19	2	do B. Salaries to Officers of the House	6823	4	5
July 10, do ..	To Warrant on account of Indemnity to Members	5000	0	0	do C. Extra-Writers and Mes- sengers	2541	0	9
do 28, do ..	To Warrant by Address of July 8th, 1851	5000	0	0	do D. Expenses of Committees E. Library	176	6	10
August 21, do ..	To Balance of the Estimate for In- demnity to Members	5384	0	0	do F. Printing, Printing Pa- per and Binding	839	5	8
September 10, do ..	To Warrant on account of the Ad- dress of 30th August, 1851	5000	0	0	do G. Stationery	17448	0	4 $\frac{1}{2}$
October 23, do ..	To Warrant on account of do	7500	0	0	do H. Postage	1123	8	1 $\frac{1}{2}$
March 22, 1852 ..	To Warrant being balance of do	6980	13	7	do I. Newspapers and Ad- vertising	1271	18	7 $\frac{1}{2}$
4th Sess. 3rd Parl., 1851	To Amount of Fees on 32 Private Bills, at £15 each	480	0	0	do J. Tradesmen and others do K. Miscellaneous	318	15	10 $\frac{1}{2}$
	To Amount of Disbursements over Receipts	578	18	7		1166	14	4
		£ 41499	17	9		1195	8	9
					£ 41499	17		9

Thos. Vaux,

Accountant.

E. & O. E.

W.B. Lindsay,

Clerk, Assembly.

MR. AT. GEN. DRUMMOND¹ then moved the postponement of the orders of the day, on account of the failure to complete the Cabinet.²

MR. MACKENZIE did not see the use of this measure. The Government had formerly gone on for a long time without any Attorney General W.; and also without any Commissioner of Public Works. There was no use at all in the latter officer, and the government might go on very well without him. Nor had he ever heard before of an explanation being required on the occasion of a gentleman declining to accept office. That was only usual when people accepted.³

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Ordered, That the Orders of the day be postponed until To-morrow.

*Then, on motion of the Honorable Mr. Attorney General Drummond, seconded by Mr. Solicitor General Chauveau,
The House adjourned.*

[NOTICE OF MOTION RE: MR. MERRITT'S RESOLUTIONS.]⁴

MR. MERRITT [gave notice of motion that] on Thursday next [the House do resolve to go into] Committee of the Whole--for the purpose of considering the following Resolutions:--

1. That while a Treaty is pending between Great Britain and the United States for regulating the Commercial intercourse between the latter Countries and these Colonies, it is the duty of this House to express the opinion of the people of this Province thereon at the earliest moment.

2. That to ensure the future peace and prosperity of the inhabitants, and the permanency of any Treaty between the two countries, it should be based on the true principle of reciprocity.

3. That the mutual interest of the Citizens and inhabitants of each Country would be best promoted by opening the free and common use of the Sea, Lakes, Rivers, Canals, Harbors and Coasts of each respective Country, under the same charges which now are or hereafter may be imposed by either Government, for the regulation of their own subjects.

4. That the vessels of Craft built in one country be purchased and owned by the Inhabitants of the other, and Coast freely in each, all Bounties and Duties on Vessels, and on Food, Timber, Fish and all other natural Productions, of the respective countries should be removed, and that all intercourse for the purposes of Navigation and commerce on those products should be placed on the same footing, without any greater restriction than would be imposed under one general Government.

5. That the foregoing Resolutions be embodied in an Address to Her Majesty.⁵

[NOTICE OF QUESTION RE: TRANSFER OF POWERS WITHIN THE TRINITY HOUSE OF QUEBEC.]

MR. STUART [gave notice that] on Friday next [he would enquire] whether the members of Her Majesty's Executive Council intended to submit, for the consideration of the Legislature, any measure to transfer to the Harbor Commissioners the powers and duties of the Trinity House of Quebec, or to substitute any other provisions for those now existing, whereby, the general purpose of those provisions may be more effectually attained.⁶

[QUESTION AND ANSWER RE: SEIGNIORIAL TENURE.]⁷

MR. CAUCHON s'enquiert du ministère si quelques dépêches relatives à la tenure seigneuriale ont été reçues du gouvernement impérial, et si l'intention de l'administration est de les mettre devant cette chambre.⁸

MR. AT. GEN. DRUMMOND said there were some despatches from the Colonial office⁹ [at] Downing Street¹⁰ relative to the Seigniorial tenure which would be shortly laid before the House¹¹ avec les autres papiers relatifs à ce sujet et dont la production est déjà demandée.¹²

[QUESTION AND ANSWER RE: DIVISION OF UPPER AND LOWER CANADA.]¹³

MR. MONGENAIS demande au ministère si son intention est d'introduire, dans la présente session, un bill pour déterminer et fixer la ligne de division entre le Haut et le Bas-Canada.¹⁴

MR. AT. GEN. DRUMMOND répond que telle est l'intention du ministère.¹⁵

FOOTNOTES: 23 SEPTEMBER 1852.

1. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 24 September 1852 (which misdated the debate as 22 September 1852), MONTREAL GAZETTE, 27 September 1852, PILOT, 27 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. EXAMINER, 29 September 1852, noted that "the business of Thursday was postponed after a very short session in consequence of the ministry not being complete." BRITISH COLONIST, 24 September 1852, commented: "The talk of the town now runs upon Mr. Chabot, as the probable successor of Mr. Young."
2. MONTREAL GAZETTE, 27 September 1852.
3. IBID.
4. The following papers reported this notice of motion in identical accounts: MONTREAL GAZETTE, 27 September 1852 (which misdated it as 22 September 1852), HAMILTON SPECTATOR DAILY, 29 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852.
5. MONTREAL GAZETTE, 27 September 1852.
6. IBID.
7. The following papers reported this question and answer in identical accounts: MONTREAL GAZETTE, 27 September 1852, MORNING CHRONICLE, 27 September 1852, PILOT, 27 September 1852 (the three above papers having misdated their accounts as Thursday, 22 September 1852), HAMILTON SPECTATOR DAILY, 29 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The matter was also reported by: JOURNAL DE QUEBEC, 25 September 1852, and L'AVENIR, 29 September 1852, which also contained a commentary.
8. JOURNAL DE QUEBEC, 25 September 1852.
9. MONTREAL GAZETTE, 27 September 1852.
10. L'AVENIR, 29 September 1852.
11. MONTREAL GAZETTE, 27 September 1852.
12. JOURNAL DE QUEBEC, 25 September 1852.
13. The following papers reported this question and answer in identical accounts: BRITISH COLONIST, 24 September 1852, BRITISH WHIG, 24 September 1852, MONTREAL GAZETTE, 24 September 1852, PILOT, 24 September 1852, HAMILTON SPECTATOR DAILY, 24 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and OTTAWA CITIZEN, 2 October 1852; MONTREAL GAZETTE, 27 September 1852, MORNING CHRONICLE, 24 September 1852, PILOT, 27 September 1852 (the three above papers having misdated their accounts as 22 September 1852), HAMILTON SPECTATOR DAILY, 29 September 1852, and HAMILTON SPECTATOR WEEKLY, 30 September 1852. The matter was also reported by: EXAMINER, 29 September 1852; and JOURNAL DE QUEBEC, 25 September 1852.
14. JOURNAL DE QUEBEC, 25 September 1852.
15. IBID.

FRIDAY, 24 SEPTEMBER 1852.

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THE following Petitions were severally brought-up, and laid on the table:--

By Mr. Ridout,--The Petition of the Toronto and Guelph Railway Company; and the Petition of John Gilmour and others, of the City of Toronto.

By Mr. Lyon,--The Petition of Nathaniel Close, of the Township of Nepean.

By Mr. Laurin,--The Petition of Joseph Déry, Esquire, and others, of the Parish of L'Ancienne Lorette, and others; and the Petition of Charles Langevin and others, of the Parish of L'Ancienne Lorette, and others.

By Mr. Burnham,--The Petition of the Reverend C. Ruttan and others, of the County of Northumberland.

By Mr. Langton,--The Petition of Benjamin Jacobs and others, of the Counties of Peterborough and Victoria.

By the Honorable Mr. Morin,--The Petition of Césaire Germain and others appointed to take the Census for certain Parishes in the District of Montreal; and the Petition of G.H. Monk and others, of Ste. Thérèse de Blainville, and other places.

By Mr. Wright of the East Riding of York,--The Petition of Thomas Clarkson and others, of the County of York.

By the Honorable Mr. Hincks,--The Petition of the Niagara Harbour and Dock Company, and of Clark Gamble, of the City of Toronto, Esquire, Assignee and Trustee thereof; and the Petition of Benjamin Van Norman and others, of the Township of Dereham.

Pursuant to the Order of the day, the following Petitions were read:--

Of Edouard Jetté and others, of the Parish of St. Paul, County of Berthier; praying aid for the construction of a Bridge over the River Nacouareau, in the said County.

Of Janes Emmett and others, of the Township of Grantham, County of Lincoln; praying for the passing of an Act to prohibit the manufacture and sale of intoxicating liquors, except for medicinal and mechanical purposes.

Of Charles Wilson, Esquire, Mayor, and other Citizens, of Montreal; praying the adoption of measures for the establishment of a Provincial Hospital for the Insane in Lower Canada.

Of the Reverend F. Bonin, of Ste. Scholastique, County of Two Mountains; praying for aid in behalf of Schools established by him in Ste. Scholastique and the Village of St. Andrew's.

Of Robert L. Macdonell, M.D., and A.H. David, M.D., Esquires, Proprietors and Editors of "The Canada Medical Journal;" praying aid to enable them to continue the publication of the said periodical Journal.

Of the Municipal Council of the Town of Perth; praying for the construction of a Canal of dimensions similar to the St. Lawrence Canals, to connect the waters of the River St. Lawrence above the Village of Caughnawaga, with those of Lake Champlain.

Ordered, That the Petition of C. Yale and others, of the County of Lincoln; the Petition of Joseph Dobbin and others, of the County of Welland; the Petition of Mrs. A. Simmerman and other ladies of Beamsville and its vicinity; the Petition of Kesia Kilborn and other ladies of Beamsville and its vicinity; the Petition of J.B. Osborne, Esquire, and others, of Beamsville and its vicinity; the Petition of Aaron Beam and others, of the Township of Bertie; the Petition of John Stevenson and others, of the United Counties of Lenox and Addington; and the Petition of John Reynolds and others, of the County of Hastings, be

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referred to the Select Committee to which was referred the Petition of A. Jeffry, Esquire, Mayor, and others, of the Town of Cobourg and the Township of Hamilton, on the Subject of Temperance.

MR. J.S. MACDONALD the SPEAKER¹ communicated to the house the following letter:--

Quebec, 24th Sept., 1852.

Sir,--We beg to inform you that a vacancy has happened in the Legislative Assembly, for Bellechasse, the Honorable Jean Chabot, the Member for the said County, having accepted from the Crown the Office of Commissioner of the Board of Public Works; and to request you to take the necessary proceedings to have this vacancy filled up.

We have the honor to be, Sir,

Your most obedient servants,

(L.S.) JOHN WHITE, M.P.P.

(L.S.) JOS. LAURIN, M.P.P.

To the Honorable J.S. Macdonald,
Speaker of the Legislative Assembly.²

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On motion of the Honorable Mr. Morin, seconded by the Honorable Mr. Hincks, Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ for the election of a Knight to serve in this present Parliament, for the County of Bellechasse, in the room of the Honorable Jean Chabot, who, since his election for the said County, hath accepted the Office of Chief Commissioner of Public Works for this Province.

Mr. Speaker acquainted the House, That his Warrant for the appointment of a Member to serve on the General Committee of Elections to supply a vacancy in the said General Committee, was upon the Table:--And the said Warrant was read, as followeth:--

Pursuant to "The Election Petitions Act of 1851," I do hereby appoint Joseph Edouard Turcotte, Esquire, Member for the County of Saint Maurice, to be a Member of the General Committee of Elections for the present Session, in the place and stead of the Honorable Jean Chabot, whose seat has become vacant. Given under my hand, this 24th day of September, 1852.

J. Sandfield Macdonald, Speaker.

Ordered, That the said Warrant be printed.

MR. PROV. SEC. MORIN³ (in French)⁴ begged leave to call the attention of the House to a subject of much importance--of so much importance that he did not desire the Assembly to take action on it immediately; but merely to give the resolutions he would introduce, some degree of attention, and then allow them to be over until next year. He proposed this course, because it would be highly inexpedient, at the present moment, to proceed with anything like haste; for although the subject has been long agitated in this Province,--and although at one time it received the unanimous approbation of the inhabitants of Lower Canada, the change in the form of the Provincial Government has brought about a corresponding change in public opinion. It is well shown, that under the old constitution, a certain number of persons, closely connected with the Executive branch of the Government, and entirely free from the influence of public opinion, formed the Legislative Council; and that, as they formed also the Executive Council of the Government, they were stronger than the popular branch of the Legislature, and interfered materially with the action of that body. The annoyance at length became so aggravated, that the people of Lower Canada looked on the Legislative Council as the root of all

their ills; and they therefore desired, by petition, at different times, that the elective principle should be applied to that body. Since that time, a new constitution was formed--the constitutional action of the popular branch was recognized, and the two chambers were placed on an equality in respect of power. This being the case, much less inconvenience has been experienced under the present system than under the old; because under the old system, the Legislative Council was an obstacle, permanently and decidedly opposed to public opinion; whereas, under the existing system, it is not opposed to popular opinion, and has never been so. Nevertheless, there are peculiar inconveniences, owing to the formation of that body. As there are but few persons in this country whose fortunes would enable them to take a position analogous to that of the Lords in England, the body does not possess that weight which it was intended to have. He did not mean to say anything which might be construed into a want of respect for its members,--many of them enjoy, deservedly, the confidence of the people of the country; and, in point of talent, they stand on an equality with the members of the House of Assembly. He rendered to them the homage to which, individually and collectively, they are entitled; but he is of opinion that some change is necessary to render it an efficient working body. The means of the population of this Province are bounded; and although there are some gentlemen of great wealth holding seats in either branch of the legislature, it necessarily follows that some indemnity should be paid to the members of the Legislative Council, in order to secure a full attendance. If that body were rendered elective then the gentlemen composing it could very properly be indemnified. This subject has occupied his attention, as well as that of the other members of the Government, and he had resolved upon submitting a series of resolutions for the purpose of rendering it elective, but, he repeated, he did not desire that the House should act with precipitance [sic]. Public opinion is not sufficiently defined to act at once in a decisive manner; and it would be better to temporize until a clear and unmistakeable expression of that opinion could be obtained. During a recent discussion the intention of the Government had been in part explained; and he would say, in reference to one idea put forward by the member for Montmorenci, that he is utterly opposed to the plan of having only one Legislative Chamber. He believed that two chambers are necessary, to prevent errors in legislation, to revise and correct the details of a measure which may have passed one House. These are two of the reasons why he was in favour of having two chambers, and he thought it must be apparent that a great many errors would be allowed to pass unnoticed through a body composed of a large number of persons whilst a smaller body would be enabled to examine those measures with more deliberation. Being thus in favour of having two chambers, he thought some difference ought to be made in the manner of constituting them. Therefore, if the representatives of the people in the lower House were increased to one hundred and twenty in number for the two section of the Province, he thought that there should be sixty members of the Council.⁵ He thought these should be elected for so many years.⁶ The country would thus be divided into one hundred and twenty territorial divisions, and two of those divisions would unite together. He believed it would be better to elect the members of the latter body for a period of nine years--a certain proportion retiring by rotation at the end of three years. People might ask; who are to be the electors? He would reply that the Government had not thought fit to express the opinion that there should be any difference between the electors for the two branches, as persons qualifying as electors for a Member of the House of Assembly, would assert that they were also qualified to vote for a Member of the Legislative Council; and thus, although there might be a difference in theory, there would be none in practice, and the attempt to distinguish between the two classes, would only lead to confusion. The Government had been asked whether it was

their intention to establish a property qualification for Legislative Councilors--he would say that he did not consider it a point of great importance; but he did not think that that choice should be left entirely unlimited. There is a class of persons in the country sufficiently numerous to select from them sixty Legislative Councillors, and composing a class which has already enjoyed the confidence of the country in a high degree. He referred to those persons who now hold, or who may have held seats in the Legislative Council, or the House of Assembly, wardens of counties, and mayors of cities. As to the manner of working out such a constitution he did not see any difficulty whatever--the Crown should have the power of dissolving either or both of the Chambers⁷ as they might see fit.⁸ If there should be any difficulty between the two branches, the Crown from its high position would be enabled to decide which accorded best with the state of public opinion⁹ [and] public confidence¹⁰, and dissolve the other. He also proposed that the Legislative Council so constituted, should possess the power of trying high public functionaries charged with misdemeanors.¹¹ On the other hand, the Lower House was to preserve the ministration in money matters.¹² He had no fear that a proposition of this kind would be unacceptable to the Government of England¹³. First because she had granted to the colony the right to manage its own affairs, and¹⁴ because she is indisposed to interfere in the internal affairs of any of the colonies, and¹⁵ next because in itself the proposition was good to establish a legislative check. Lastly because she had granted similar institutions in other colonies.¹⁶ He concluded by moving that the House do go into committee of the Whole on these resolutions, on Friday next¹⁷ in order that the thing might be ... discussed with a view to legislation in the next session of Parliament.¹⁸

MR. CAUCHON [moved that] the committee [be] postponed for a fortnight. There was the Seigniorial tenure question which had been mentioned in the speech and had been long before the country. That had not been yet brought before the House, and [sic] yet here was a topic, which was of no pressing importance, and which was to be pressed on in a week.¹⁹

MR. PROV. SEC. MORIN was ready to postpone the committee on Friday if it were then desired.²⁰

MR. PAPINEAU expressed his disapprobation of most of the details of the plan--especially of the large number proposed for the Upper House, and the great length of the term. He believed the term which prevailed in the Senate of the United States quite long enough. However this was not the time for discussion; but he thought that should take place as early as possible.²¹

MR. ROBINSON, in behalf of Upper Canada, declared that he thought a change in the present constitution of the Legislative Assembly was necessary.²²

MR. CRAWFORD expressed a similar opinion.²³

MR. SMITH asked if the hon. members of the present Legislative Council were to be eligible for re-election?²⁴

MR. PROV. SEC. MORIN said certainly.²⁵

MR. SMITH:--That's very satisfactory (laughter).²⁶

MR. CAUCHON ultimately withdrew his motion²⁷.

The original motion was carried.²⁸

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On motion of the Honorable Mr. Morin, seconded by the Honorable Mr. Hincks, Resolved, That this House will, on Friday next, resolve itself into a Committee, to take into consideration the following Resolutions on the subject of the Constitution of the Legislative Council of this Province:

1. That under the circumstances in which the Province of Canada is placed in a social, political, and economical point of view, the introduction of the Elective principle into the Constitution of the Legislative Council would not only impart greater weight to that important Branch of the Legislature than it can have under existing arrangements, however judiciously the selection of its Members may be made, but would also ensure greater efficiency in carrying out that system of Government which obtains in the Mother Country, and has been happily introduced into this Province.

2. That the object in view might best be attained by dividing each of the Sections of this Province into thirty Territorial Divisions, containing as nearly as possible an equal amount of population, and by allowing the persons qualified to vote at the Election of Members of the Legislative Assembly in each Division to elect one proper person, qualified in the manner hereinafter mentioned, to sit in the Legislative Council, which should be composed of sixty persons so elected, one-third of whom should be required to retire in rotation every three years.

3. That the persons qualified to be elected Members of the Legislative Council should be all Subjects of Her Majesty by birth or naturalization, of the full age of twenty-one years, and residing in this Province, who may have been Members of the Legislative Council of Upper or Lower Canada, or of this Province, or who shall have been elected Members of the Legislative Assembly of this Province, or of either of the said late Provinces, or are or have been Wardens or Mayors of a Municipal District or County, or of a Union or Division of Counties, or of any City or Town in this Province; no person who is at present disqualified by law to be elected Member of the Legislative Assembly being eligible for the said Legislative Council.

4. That for the better working of Constitutional Government, the Legislative Council, so constituted, ought to be liable to dissolution and re-election in the same manner as the Legislative Assembly now is,--and that, under the proposed

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change, it should be optional to the Governor General to dissolve both or either of the Houses of Parliament whenever advised so to do.

5. That it being inexpedient under the amended Constitution of Parliament to require any pecuniary qualification from its Members,--that now imposed for being elected to or sitting in the Legislative Assembly ought to be abolished.

6. That the Legislative Council, so constituted, should elect its own Speaker, and ought to possess the exclusive power of adjudicating upon all Impeachments preferred by the Legislative Assembly against high Public Functionaries, and that in all other respects the peculiar powers and privileges now possessed and exercised by each of the two Houses of Parliament should be maintained inviolate in so far as they may not be repugnant to the foregoing Resolutions.

Ordered, That Mr. Cartier have leave to bring in a Bill to incorporate the Grand Trunk Railway Company of Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Mr. Lemieux, from the Standing Committee on Standing Orders, presented to the House the Eleventh Report of the said Committee; which was read, as follows:--

Your Committee have examined the Petitions of James Motz, Esquire, for an Act to secure him in the enjoyment of his privileges in connection with a Toll Bridge over the River Etchemin,--and of Thomas Solomon and others, praying that the 8th, 9th, and 10th half Concessions of Haldimand may be united to Alnwick, and find that the Notices have been duly given.

Upon the Petition of the Woodstock and Lake Erie Railway and Harbour Company, for an extension of their Charter, with power to construct a Railway from Woodstock to Waterloo, in the County of Welland, Your Committee find that Notice was published for the length of time required in papers within the Counties of Oxford and Haldimand, but so far as the Counties of Norfolk and Welland are concerned, (through which the proposed line is to pass) no fyles of papers published within those Counties have been kept in the House, and Your Committee are therefore unable to satisfy themselves as to the Notices in those Counties; as, however, the other Notices have been sufficiently proved, and Notice having been also published in the Canada Gazette for several months, they would beg leave to recommend that the Notice be considered sufficient.

Upon the Petition of John Burkham and others, praying that certain irregularities connected with the erection of the Township of Torbolton into a separate Municipality, may be removed, and the erection of the same be legalized. Your Committee find that no Notices have been given; it has however been proved to the satisfaction of Your Committee that all parties concerned were sufficiently notified of the application, and they would therefore beg leave to recommend that the 64th Rule be suspended in this case.

The Petitions of Richard Hutchinson and others, for the admission of Ministers of "Adventists" in Canada East, to the same privileges as are enjoyed by those of other denominations,--of Olivier Fiset and others, for amendments to the Act incorporating the Quebec Benevolent Society,--and of G. Darveau and others, for amendments to the Act incorporating the Quebec Friendly Society, are not of such a nature as to require the publication of Notice.

With respect to the Petitions of Peter Fisher and others, for an Act to legalize the proceedings of the Nelson and Nassagaweya Road Company,--and of Alexander McNaughton and others, for the separation of the County of Halton from Wentworth, Your Committee find that the Notices required by the 64th Rule have not been given.

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Ordered, That Mr. Lemieux have leave to bring in a Bill to amend an Act, intituled, "An Act for the encouragement and relief of certain persons therein named, and others, and authorizing them to associate themselves by the name of the Quebec Benevolent Society, under certain restrictions, rules and regulations therein mentioned."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That Mr. Lemieux have leave to bring in a Bill to amend the Act, intituled, "An Act to incorporate the Pilots for and above the Harbour of Quebec."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the Honorable Mr. Attorney General Richards have leave to bring in a Bill to provide for the better organization of Agricultural Societies in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

Ordered, That the Honorable Mr. Attorney General Richards have leave to bring in a Bill to provide for the establishment of a Bureau of Agriculture, and to amend and consolidate the Laws relating to Agriculture.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday next.

MR. JOBIN²⁹ [a fait] quelques remarques³⁰.

MR. AT. GEN. DRUMMOND a informé la chambre ... en réponse ... qu'il désirait depuis longtemps introduire son bill relativement à la tenure seignioriale et qu'il n'avait tardé que pour se procurer certains documens importants, relatifs à cette question, et qui s'impriment actuellement par ordre du conseil législatif. Si ces documens ne sont pas prêts lundi prochain, il introduira son bill sans les attendre.³¹

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Ordered, That Mr. Jobin have leave to bring in a Bill to facilitate the redemption of Seigniorial Rights in Lower Canada, and to convert the Tenure of Lands chargeable therewith into that of franc aleu roturier, and to define the rights of Seigniors and Censitaires, and prevent abuses.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday the twelfth of October next.

Ordered, That Mr. Poulin have leave to bring in a Bill to amend the Act, intituled, "An Act to repeal two certain Acts therein mentioned relating to Agriculture, and to provide for the remedy of abuses prejudicial to Agriculture."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Tuesday the twelfth of October next.

Ordered, That Mr. Langton have leave to bring in a Bill to incorporate the Grand Junction Railroad Company.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

Ordered, That the Public Accounts for the year 1851, laid before this House

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on Tuesday the seventh instant, be referred to the Standing Committee on the Public Accounts.

Ordered, That Mr. Tessier have leave to bring in a Bill to amend and explain the Act authorizing the issue of Debentures for giving relief to the City of Quebec.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time on Monday next.

The Honorable Mr. Morin, one of Her Majesty's Executive Council, presented, pursuant to Addresses to His Excellency the Governor General,--Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 31st August last, for copies of the Specifications for the Wharves now being built on the River St. Lawrence below, together with the names of the Contractors for the building thereof respectively, and those of their several securities, the price of each separate work, and a statement of the quantities of material and workmanship required for the different works, exhibiting at one view the prices allowed to the Contractors respectively.

For the said Return, see Appendix (F.F.)

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 20th September, 1852, for copies of all Correspondence which may have been had between the Government and the Mayor or Citizens of Montreal, in reference to a Loan as aid in rebuilding houses destroyed by the recent Fire in that City.

For the said Return, see Appendix (G.G.)

Return to an Address from the Legislative Assembly to His Excellency the Governor General, dated 20th September, 1852, for the Report of the Inspector of Gaols for Lower Canada.

For the said Return, see Appendix (H.H.)

Ordered, That the Report of the Inspector of Gaols for Lower Canada be printed for the use of the Members of this House.

The Order of the day for the third reading of the Bill to amend an Act passed in the eighth year of the Reign of Her Majesty to incorporate the St. Lawrence and Atlantic Railroad Company, and to extend the powers of the said Company, being read;

Ordered, That the Bill be read the third time on Wednesday next.

A Bill to remove doubts as to the powers of the Junior Judges of County Courts in Upper Canada, was, according to Order, read the third time.

The Honorable Mr. Attorney General Richards moved, seconded by the Honorable Mr. Morin, and the Question being put, That the Bill do pass, the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Burnham, Cartier, Cauchon, Solicitor General Chauveau, Christie of GASPE, Clapham, Crawford, Dubord, Fergusson, Fortier, Fournier, Hartman, Jobin, Laurin, LeBoutillier, Lyon, Malloch, Marchildon, McLachlin, Morin, Papineau, Poulin, Attorney General Richards, Ridout, Robinson, Rolph, Short, Smith of FRONTENAC, Stuart, Taché, Tessier, Valois, Varin, Viger, White, Wright of East Riding of YORK, Wright of West Riding of YORK.--(38.)

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NAYS.

Mr. Mackenzie.--(1.)

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Attorney General Richards do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for the third reading of the Bill to authorize the appointment of Assistant Judges of the Superior Court for Lower Canada in certain cases, being read;³²

MR. AT. GEN. DRUMMOND moved the third reading of the bill to authorise the appointment of Assistant Judges of Superior Courts for Lower Canada.³³

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Mr. Stuart moved, seconded by Mr. Clapham, and the Question being put, That the said Order be discharged; and the Bill committed to a Committee of the whole House, with an Instruction to the Committee to consider the propriety of adding the following Clauses thereto:--

"And be it enacted, That no person shall be appointed an Assistant Judge of the said Superior Court, unless he shall immediately before his appointment be an Advocate of at least ten years standing at the Bar of Lower Canada;

"And be it enacted, That no such Assistant Judge shall sit in the Executive

Council, or in the Legislative Council, or in the Legislative Assembly, or hold any other place of profit under the Crown, so long as he shall be such Assistant Judge:

"And be it enacted, That the salary of any such Assistant Judge shall not exceed ; and such salary shall be in lieu of all emoluments or allowances whatsoever, whether for travelling expenses or otherwise:

"And be it further enacted, That the foregoing Sections of this Act shall remain in force until the first day of May next, and thenceforward until the termination of the next Session of Parliament;"

MR. STUART:--These provisions were in the law under which other judges were appointed, and there was still more reason why they should be in a law under which was to be appointed a judge, who would be so completely under the control of the administration as the one now contemplated. He thought that the bill ought to have been like all other bills initiated by resolutions passed through committee of the whole, for it seemed to him that all such bills as this should contain a plain statement of what was to be paid for the services to be rendered. Now he did not think it at all necessary that the law should be a permanent one. He understood that it was passed for an emergency and that that emergency had passed, for that the Chief Justice had returned to town and gone to Sherbrooke, and as he understood had declared the assistant judge was not necessary.³⁴

Some conversation [ensued]³⁵.

Mr. Stuart était secondé dans cette opposition par MM. DUBORD, CAUCHON, et quelques autres membres de l'opposition ordinaire.³⁶

MR. ROBINSON said that he had lately been at Montreal and had found every body of opinion that there was no necessity for this extra judge.³⁷

MR PAPINEAU remarked that the provisions now proposed were only those which were thought proper in England and in this country in relation to the other judges. He thought the government, if they acted wisely would adopt these amendments immediately.³⁸

MR. SMITH entirely approved of the amendments, and considered that the government would act wisely by accepting them. There could be no doubt in the House about their principle, as that was introduced into the judicature act.³⁹

MR. AT. GEN. RICHARDS said that there were objections to the amendment, as it was only proposed to appoint judges temporarily, and it might be difficult to find gentlemen of the kind proposed to accept such an appointment. Why did not the hon. gentleman extend his principle, and embody it in a general bill, so as to make it apply in all cases.⁴⁰

MR. MACKENZIE opposed the principle of appointing temporary judges at all, and he would also oppose the amendment. He spoke at some length in support of his views.⁴¹

MR. COM. CR. LANDS ROLPH said a few words in answer to Mr. MacKenzie⁴².

MR. SOL. GEN. CHAUVEAU fit une remarque ... en réponse à ceux qui refusaient de voter ce bill sans savoir le salaire qu'on accorderait aux juges suppléants. Il dit que si le gouvernement ne pouvait exercer un pouvoir discrétionnaire aussi peu important, il ne pouvait guère être regardé comme gouvernement; que d'ailleurs les sommes qui seraient accordées aux juges suppléants, ce serait à la chambre à les voter chaque année.⁴³

MR. BROWN [remarqua] ... que ceux qui étaient favorables au gouvernement responsable, et qui professaient d'avoir confiance dans le ministère actuel

n'étaient pas consistants en refusant d'accorder au gouvernement le pouvoir qu'il demande par le bill en question. C'est dans une circonstance comme celle-ci où il s'agit de montrer sa confiance ou sa non-confiance dans une administration.⁴⁴

MR. RIDOUT said he would support the bill if the amendment were not carried.⁴⁵

MR. STUART replied, after which the amendment was put and lost⁴⁶.

(201)

The House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Cauchon, Christie of GASPE, Clapham, Crawford, Dixon, Dubord, Fergusson, Jobin, LaTerrière, Lyon, Malloch, Papineau, Poulin, Ridout, Robinson, Shaw, Smith of FRONTENAC, Stuart, Tessier, Valois, Viger.--(22.)

NAYS.

Messieurs Brown, Cartier, Chapais, Solicitor General Chauveau, Fortier, Fournier, Hartman, Johnson, Langton, Laurin, LeBoutillier, Lemieux, McDonald of CORNWALL, Mackenzie, Marchildon, Mattice, McLachlin, Merritt, Mongenais, Morin, Rolph, Attorney General Richards, Short, Taché, Varin, White, Willson, Wright of East Riding of YORK.--(28.)

So it passed in the Negative.

The Honorable Mr. Morin moved, seconded by the Honorable Mr. Attorney General Richards, and the Question being put, That the Bill be now read the third time; the House divided: and the names being called for, they were taken down, as follow:--

YEAS.

Messieurs Badgley, Brown, Hartman, Johnson, Mattice, McLachlin, Short, Taché,

(202)

Cartier, Chapais, Solicitor General Chauveau, Christie of GASPE, Clapham, Crawford, Fortier, Fournier, Langton, Laurin, LeBoutillier, Lemieux, Lyon, McDonald of CORNWALL, Malloch, Marchildon, Mongenais, Morin, Papineau, Poulin, Ridout, Attorney General Richards, Rolph, Shaw, Valois, Varin, Viger, White, Wright of East Riding of YORK.--(37.)

NAYS.

Messieurs Cauchon, Dixon, Dubord, Fergusson, Jobin, LaTerrière, Mackenzie, Merritt, Robinson, Smith of FRONTENAC, Stuart, Tessier, Willson.--(13.)

So it was resolved in the Affirmative.

The Bill was accordingly read the third time.

The Honorable Mr. Morin moved, seconded by the Honorable Mr. Attorney General Richards, and the Question being put, That the Bill do pass; the House divided: and the names being called for, they were taken down as in the last preceding division.

So it was resolved in the Affirmative.

Ordered, That the Honorable Mr. Attorney General Drummond do carry the Bill to the Legislative Council, and desire their concurrence.

The Order of the day for receiving the Report of the Committee of the whole House on the Bill to repeal the Acts therein mentioned, and to improve the Law of Evidence in Upper Canada, being read;

Ordered, That the said Order of the day be postponed until Friday next.

The Order of the day for the House in Committee on the First Report of the Standing Committee on Miscellaneous Private Bills, being read;

Ordered, That the said Order of the day be postponed until Monday next.

The Order of the day for the second reading of the Bill to extend the provisions of an Act, intituled, "An Act for the better securing the independence of the Legislative Assembly of this Province," being read;

Ordered, That the Bill be read a second time on Monday next.

The Order of the day for the second reading of the Bill to regulate the business of Stevedore in the Port of Quebec, being read;

Ordered, That the Bill be read a second time on Friday the fifteenth of October next.

The Order of the day for the second reading of the Bill to authorize Her Majesty's Subjects to plead and reason for themselves or others in all Her Majesty's Courts in Canada, and to abolish the title or distinction of Queen's Counsel, being read;

Mr. Mackenzie moved, seconded by Mr. Hartman, and the Question being proposed, That the Bill be now read a second time;⁴⁷

MR. MACKENZIE moved the second reading of the bill to authorize her Majesty's subjects to plead for themselves in Courts of Law. The hon. member stated that it was not because of any antipathy to lawyers that he desired to have his bill passed. He entertained high respect for them, and believed their services might be required in difficult cases. But he believed that every man who was able ought to plead his own case, or that of any other person who chose to employ him to do so. He remembered the time in Scotland when every trade was restricted by a corporation, and no man could practice it, who did not belong to the corporation. The effect had been to restrain and keep back those trades, and now the spirit of the age was against them. He did not object to lawyers but he did not think they should be hemmed in by the corporations. The only qualification that should be required was capacity. Nobody asked if the man who had put up the gas chandelier before him, had studied in an office ten or a dozen years; nor was it necessary to make such an enquiry; all that was required on the man was to put the chandelier up, and so in pleading a case of law, the only enquiry should be as to capacity. The hon. member stated that in Nova Scotia a law existed similar to that which he proposed to pass; and a similar law was found to work well in New Hampshire [*sic*], Missouri, and other places. The hon. member continued to speak at length in support of his bill, and to cite examples of men who had risen from very low estates to be distinguished lawyers. He dwelt particularly upon the obstruction offered by the Scotch bar to some eminent lawyers, because their parents had been tradesmen; the leaven of that spirit we had still here, and that he wished to destroy.⁴⁸

MR. AT. GEN. RICHARDS said that the hon. member brought in crude bills year after year and asked the House to take them off his hands and improve them; and that he (Mr. R.) thought that was too much to ask. This very bill was one of them.⁴⁹ He had supported the hon. gentleman last year, on the understanding that he would modify his bill so as to render it practicable, at the next session⁵⁰. The law last year had had its defects [*sic*] pointed out to him⁵¹, but as he found that the hon. gentleman had not taken the trouble to improve it in the slightest degree, he could not give his consent to the introduction, year after year, of measures which were known to be impracticable.⁵² Coming to the principle of the bill, Mr. R. contended that if it were passed it would place lawyers in an inferior position to other classes. There was nothing now in the law which prevented a man pleading his own case. He moved an amendment that the bill be read a second time this day six months.⁵³

(202)

The Honorable Mr. Attorney General Richards moved in amendment to the Question, seconded by Mr. Smith of Durham, That the word "now" be left out, and the words "this day six months" added at the end thereof:

MR. J. SMITH (Durham) seconded the motion for reasons similar to those assigned by the Attorney General West. He also advised the hon. member for Haldimand not to occupy much time during the present session with the discussion of bills which were utterly valueless in a practical point of view; but to reserve them until the last session as a sort of stepping stone to a seat in the next Parliament.⁵⁴

MR. CARTIER [also] opposed the bill.⁵⁵

MR. MACKENZIE replied. He stated the hon. Attorney General West voted for the bill last year, but that was at the end of a parliament, and just before he had to go down to Leeds for re-election.⁵⁶

MR. BROWN was in favour of the principle of throwing open the Courts to all persons who might prove by an examination that they are competent to plead in Courts of Law⁵⁷, and as to Queen's Counsel he would vote for doing away with that distinction.⁵⁸ He was in favour of breaking down the existing close corporation, and would vote against the amendment on that ground⁵⁹. In England a silk gown was an honorable distinction, but here it was so degraded as to be a mere reward for political services, and in that case the sooner it was done away with the better⁶⁰. But he wished to be distinctly understood that he did not support the details of the member for Haldimand. The hon. member tore down the present system without putting any other in its place.⁶¹

MR. MERRITT was in favour of the principle of the bill.⁶²

The amendment was carried by a large majority.⁶³

(202)

And the Question being put on the Amendment; the House divided: and the names being called for, they were taken down, as follow:--

(203)

YEAS.

Messieurs Badgley, Burnham, Cartier, Cauchon, Chapais, Christie of GASPE, Clapham, Crawford, Dixon, Dubord, Fortier, Fournier, Gouin, Langton, LaTerrière, Laurin, LeBlanc, Lyon, McDonald of CORNWALL, Malloch, Marchildon, Mattice, Morin, Papineau, Poulin, Attorney General Richards, Ridout, Robinson, Smith of DURHAM, Short, Smith of FRONTENAC, Stevenson, Stuart, Tache, Tessier, Valois, Varin, Viger, Willson, Wright of West Riding of YORK.--(40.)

NAYS.

Messieurs Brown, Fergusson, Hartman, Johnson, LeBoutillier, Mackenzie, McLachlin, Merritt, Mongenais, Shaw, White, Wright of East Riding of YORK.--(12.)

So it was resolved in the Affirmative.

Then the main Question, so amended, being put;

Ordered, That the Bill be read a second time this day six months.

The Order of the day for the second reading of the Bill to modify the Usury Laws, being read;

Ordered, That the Bill be read a second time on Wednesday next, and be then the first Order of the day.

Ordered, That the remaining Orders of the day be postponed until Monday next.

*Then, on motion of Mr. Smith of Frontenac, seconded by Mr. Malloch,
The House adjourned until Monday next.*⁶⁴

APPENDIX: 24 SEPTEMBER 1852.

[QUESTION AND ANSWER RE: POST OFFICE, MARINE HOSPITAL AND CUSTOM HOUSE.]⁶⁵
MR. STREET⁶⁶ [OR] MR. STUART [asked a question]⁶⁷.

In answer ... MR. PROV. SEC. MORIN said it was the intention of government to erect a new Post Office at some time at Quebec; and it was not there [sic] intention to build a new wing to the Marine Hospital; nor a new Custom House; but that they meant to make an inquiry into the management of the Marine Hospital.⁶⁸

[WITHDRAWN MOTION RE: MEDICAL PROFESSION OF UPPER CANADA.]⁶⁹

MR. BOULTON moved for leave to introduce a bill to amend the Act regulating the Medical Profession in Upper Canada.⁷⁰

MR. J.S. MACDONALD the SPEAKER said that the bill could not be introduced, the Committee on standing orders having reported⁷¹ against the measure⁷² [as] the public notice of its introduction, required by law, had not been given.⁷³

MR. BOULTON said that the Committee on standing orders have been in error as to the nature of the bill. They treated it as a bill to incorporate the Medical Profession; and under that impression the report was correct. But he appealed from their decision to the House, as the bill was not such a one as the Committee had supposed, but was, in reality, merely a bill to amend the Act now in existence. For his own part, he would be unwilling to pledge himself to the bill; it was one that he could not support throughout; but he felt it to be his duty to use every exertion to have it introduced, as he had been solicited by other parties to do so. It was a bill intended to put the Medical Profession in Lower Canada, and so far he felt bound to support it. He would say further that it emanated from the entire Medical Profession of Upper Canada, irrespective of party.⁷⁴

MR. BROWN said that the bill was undoubtedly intended to amend the existing Act, but so exclusive was the amendment that it was equivalent to granting an entirely new Act of Incorporation. The statement of the member for Toronto that this was not a party measure was quite incorrect. It proceeded from certain medical gentlemen in Toronto who desire to erect themselves into a close corporation, with power to hold the door of the profession and admit or exclude whom they please. The medical practitioners in other sections of the Province were generally opposed to the movement, especially the M.D.'s of the British Colleges; the effect would be to throw the control of the profession into the hands of a few persons in Toronto. The public generally, too, were interested in the matter, and, had notice been given of the design to introduce the bill, he was confident a number of petitions against it would have been sent down. For these reasons, he was of opinion that all the formalities required by law should be adhered to, and that the report of the Committee on standing orders should be sustained by the action of the House. The Committee had shown a wise discretion in throwing out the bill.⁷⁵

MR. MACKENZIE corroborated the statements made by Mr. Brown.⁷⁶

After some farther conversation⁷⁷ MR. BOULTON withdrew the motion, stating that it was his intention to move, at a future day, that the rule of the House under which the Committee had reported adversely, should be suspended.⁷⁸

FOOTNOTES: 24 SEPTEMBER 1852.

1. The debate on this matter was reported in QUEBEC GAZETTE, 29 September 1852. LA MINERVE, 28 September 1852, commented: "M. Chabot sera, assure-t-on, ré-élu sans opposition."
2. QUEBEC GAZETTE, 29 September 1852.
3. The following papers reported the debate on this matter in partially identical accounts: GLOBE, 25 September 1852, BRITISH WHIG, 25 September 1852, PILOT, 25 September 1852, MONTREAL GAZETTE, 25 September 1852, HAMILTON SPECTATOR DAILY, 26 September 1852, BRITISH COLONIST, 28 September 1852, EXAMINER, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and OTTAWA CITIZEN, 2 October 1852; MORNING CHRONICLE, 25 September 1852, QUEBEC GAZETTE, 27 September 1852, MONTREAL GAZETTE, 28 September 1852, PILOT, 28 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, BRITISH COLONIST, 1 October 1852, NORTH AMERICAN SEMI-WEEKLY, 12 October 1852, and NORTH AMERICAN, 14 October 1852; MONTREAL GAZETTE, 28 September 1852, QUEBEC GAZETTE, 29 September 1852, BRITISH COLONIST, 1 October 1852, HAMILTON SPECTATOR DAILY, 2 October 1852, and HAMILTON SPECTATOR WEEKLY, 7 October 1852. The debate was also reported by: GLOBE, 2 October 1852, and LA MINERVE, 28 September 1852. Commentaries appeared in GLOBE, 2 October 1852 (in two separate accounts); LA MINERVE, 28 September 1852; and L'AVENIR, 29 September 1852.
4. MORNING CHRONICLE, 25 September 1852.
5. GLOBE, 2 October 1852.
6. MORNING CHRONICLE, 25 September 1852.
7. GLOBE, 2 October 1852.
8. MORNING CHRONICLE, 25 September 1852.
9. GLOBE, 2 October 1852.
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12. MORNING CHRONICLE, 25 September 1852.
13. GLOBE, 2 October 1852.
14. MORNING CHRONICLE, 25 September 1852.
15. GLOBE, 2 October 1852.
16. MORNING CHRONICLE, 25 September 1852.
17. GLOBE, 2 October 1852.
18. MORNING CHRONICLE, 25 September 1852.
19. IBID.
20. IBID.
21. IBID.
22. IBID.
23. IBID.
24. IBID.
25. IBID.
26. IBID.
27. GLOBE, 2 October 1852.
28. IBID.
29. The debate on this matter was reported by LA MINERVE, 28 September 1852. A commentary appeared in L'AVENIR, 29 September 1852.
30. LA MINERVE, 28 September 1852.
31. IBID.
32. The following papers reported the debate on this matter in identical accounts: MORNING CHRONICLE, 27 September 1852, QUEBEC GAZETTE, 27 September 1852, MONTREAL GAZETTE, 28 September 1852, PILOT, 29 September 1852, BRITISH COLONIST,

1 October 1852, HAMILTON SPECTATOR DAILY, 2 October 1852, and HAMILTON SPECTATOR WEEKLY, 7 October 1852. The debate was also reported by LA MINERVE, 28 September 1852, which contained a commentary.

33. MORNING CHRONICLE, 27 September 1852.
34. IBID.
35. IBID.
36. LA MINERVE, 28 September 1852.
37. MORNING CHRONICLE, 27 September 1852.
38. IBID.
39. IBID.
40. IBID.
41. IBID.
42. IBID.
43. LA MINERVE, 28 September 1852.
44. IBID.
45. MORNING CHRONICLE, 27 September 1852.
46. IBID.
47. The following papers reported the debate on this matter in identical accounts: HAMILTON SPECTATOR DAILY, 27 September 1852, MONTREAL GAZETTE, 27 September 1852, PILOT, 27 September 1852, BRITISH COLONIST, 28 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and OTTAWA CITIZEN, 2 October 1852; MORNING CHRONICLE, 27 September 1852, QUEBEC GAZETTE, 27 September 1852, MONTREAL GAZETTE, 28 September 1852, PILOT, 29 September 1852, BRITISH COLONIST, 1 October 1852, HAMILTON SPECTATOR DAILY, 2 October 1852, and HAMILTON SPECTATOR WEEKLY, 7 October 1852. The debate was also reported by GLOBE, 2 October 1852. HAMILTON SPECTATOR DAILY, 27 September 1852, noted that "the discussion of this bill occupied the whole evening." LA MINERVE, 28 September 1852, contained the following commentary on Mr. Mackenzie's speech in support of his bill: "Le bill de M. McKenzie, pour permettre à tous les sujets de Sa Majesté de plaider dans les cours de justice, a été rejeté hier soir à sa seconde lecture, et après un discours d'une heure de la part de son auteur. Les discours de M. McKenzie sont généralement amusans et intéressans, mais comme celui-ci se composait des sarcasmes contre les avocats et les juges que je lui ai déjà entendu débiter plusieurs fois, je m'amusai à compter le nombre de fois qu'il répèterait les mots, For instance there, car je dois vous dire que M. McKenzie est reconnu depuis longtems pour affectionner cette expression, tellement qu'il lui serait probablement impossible de s'en passer. Bien que la nouvelle ne soit pas très-importante, je vous annonce que les mots For instance there sont revenus 55 fois sur les lèvres de M. McKenzie pendant son discours. Il est vrai qu'un discours d'une heure de M. McKenzie demanderait deux heures, prononcé par un orateur ordinaire."
48. MORNING CHRONICLE, 27 September 1852.
49. IBID.
50. GLOBE, 2 October 1852.
51. MORNING CHRONICLE, 27 September 1852.
52. GLOBE, 2 October 1852.
53. IBID.
54. IBID.
55. MORNING CHRONICLE, 27 September 1852.
56. IBID.
57. GLOBE, 2 October 1852.
58. MORNING CHRONICLE, 27 September 1852.
59. GLOBE, 2 October 1852.
60. MORNING CHRONICLE, 27 September 1852.

61. GLOBE, 2 October 1852.
62. MORNING CHRONICLE, 27 September 1852.
63. IBID.
64. L'AVENIR, 29 September 1852, noted that: "M. Chabot a été assermenté, hier soir, à cinq heures, immédiatement après l'ajournement de la chambre, comme commissaire des Travaux Publics. Cette nomination est populaire dans tout le district de Québec, et le ministère a acquis de la force en s'adjoignant M. Chabot qui leur montrait les dents de temps à autre."
65. The following papers reported the debate on this question in partially identical accounts: MORNING CHRONICLE, 25 September 1852, QUEBEC GAZETTE, 27 September 1852, HAMILTON SPECTATOR DAILY, 27 September 1852, PILOT, 27 September 1852, BRITISH COLONIST, 28 September 1852, MONTREAL GAZETTE, 28 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and OTTAWA CITIZEN, 2 October 1852.
66. MORNING CHRONICLE, 25 September 1852.
67. HAMILTON SPECTATOR DAILY, 29 September 1852.
68. MORNING CHRONICLE, 25 September 1852.
69. The following papers reported the debate on this withdrawn motion in identical accounts: MORNING CHRONICLE, 25 September 1852, QUEBEC GAZETTE, 27 September 1852, MONTREAL GAZETTE, 28 September 1852, PILOT, 28 September 1852, HAMILTON SPECTATOR DAILY, 29 September 1852, HAMILTON SPECTATOR WEEKLY, 30 September 1852, and BRITISH COLONIST, 1 October 1852. The matter was also reported by GLOBE, 2 October 1852.
70. GLOBE, 2 October 1852.
71. IBID.
72. MORNING CHRONICLE, 25 September 1852.
73. GLOBE, 2 October 1852.
74. IBID.
75. IBID.
76. IBID.
77. MORNING CHRONICLE, 25 September 1852.
78. GLOBE, 2 October 1852.

PROPER NAME INDEX

INTRODUCTION

The Index is limited to the names of the men who sat in the Canadian Assembly in 1852. It therefore excludes the names of all other persons, such as people mentioned in debates, witnesses testifying before the House in Committee of the Whole, or messengers such as Félix Fortier, Clerk of the Crown in Chancery, who at one time or another addressed the House from within the Bar. It also excludes the names of people merely mentioned in the House, such as those whose testimony before Select Committees was reported or referred to in the JOURNALS, and signatories to Petitions presented whose names are noted in connection with various kinds of legislation.

The decision to limit the Proper Name Index to members of the Assembly was made necessary by the fact that in 1852 the other names number in the thousands, so that their sheer bulk makes it impossible to include them. In addition, every piece of legislation or testimony with which these names are associated is always indexed under subject references. To summarize, the Proper Name Index refers to every occasion when a member proposed or seconded a motion or resolution, or brought up a petition; it refers to every speech he delivered during debates, to every other time he addressed the House, and to each time he was appointed to a Select Committee or took the chair of the House in Committee of the Whole; and when a member is referred to in a footnote (the page number is followed by the letter 'f'). Only individual votes are excluded because divisions rightfully belong with the legislation they pertain to, and all legislation is included in the Subject Index.

This Index refers only to Part I of Volume XI. The continuation of the Proper Name Index will be included at the end of Parts II, III and IV, followed by an Index of the subjects in Volume XI, Part IV.

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